

The Peak

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Introducing...

BORDER CROSSINGS

UNA FRONTERA NO ES SÓLO UNA línea en el borde de un estado, o un país, sino que profundiza en los aspectos personales de nuestras vidas. Al establecer fronteras, el estado define nuestros cuerpos como legal o ilegal, según sus propias definiciones de quien pertenece en ese o este lado de la frontera. Nuestra estatus determina también nuestra esperanza de vida, el tipo de servicios de salud que podemos acceder, la calidad de nuestra educación, y los recursos para poder o no poder escapar de la violencia y del miedo. Al final, se convierte en un determinante esencial de la clase.

Presentemente, los estados nos definen por parte del lugar de nuestro nacimiento y por parte de nuestros padres biológicos. No solo sentimos el efecto de esta definición en las fronteras militarizadas, pero también en el consultorio del médico, el centro de acogida, la estación de policía, la escuela, en nuestras relaciones con nuestros vecinos y en todos los aspectos de nuestras vidas diarias. Nuestro estado de nacimiento se convierte en una pieza esencial de quienes somos, de donde podemos ir, de donde vivimos y de lo que somos capaces de hacer.

Esta revista fue producida en asociación con *Fuerza / Puwersa*, con contribuciones de *No One Is Illegal / Nadie Es Ilegal – Toronto*, y creado con un propósito: para conectar las luchas de gente, y comunidades de cualquier estatus, en un intento de dismantelar el sistema actual de la ciudadanía que nos hace vulnerables. Juntos, podemos crear un mundo en el que a nadie se le niegue por parte del Estado, donde nadie sufre por parte de su estatus.

Continuemos a encontrarnos uno al otro en nuestros diferentes puntos de la lucha - en los centros de salud, parques, prisiones, escuelas, aeropuertos, centros comunitarios y demostraciones - hasta que todos somos libres.

A BORDER IS NOT JUST A LINE ON THE edge of a state; it delves into personal aspects of our lives. It defines our bodies as legal or illegal simply because we exist in a territory that does or does not recognise us. Status determines how long we live for, what kinds of health services we are able to access, what our education will look like, whether or not we can escape violence and fear; it becomes an essential determinant of class.

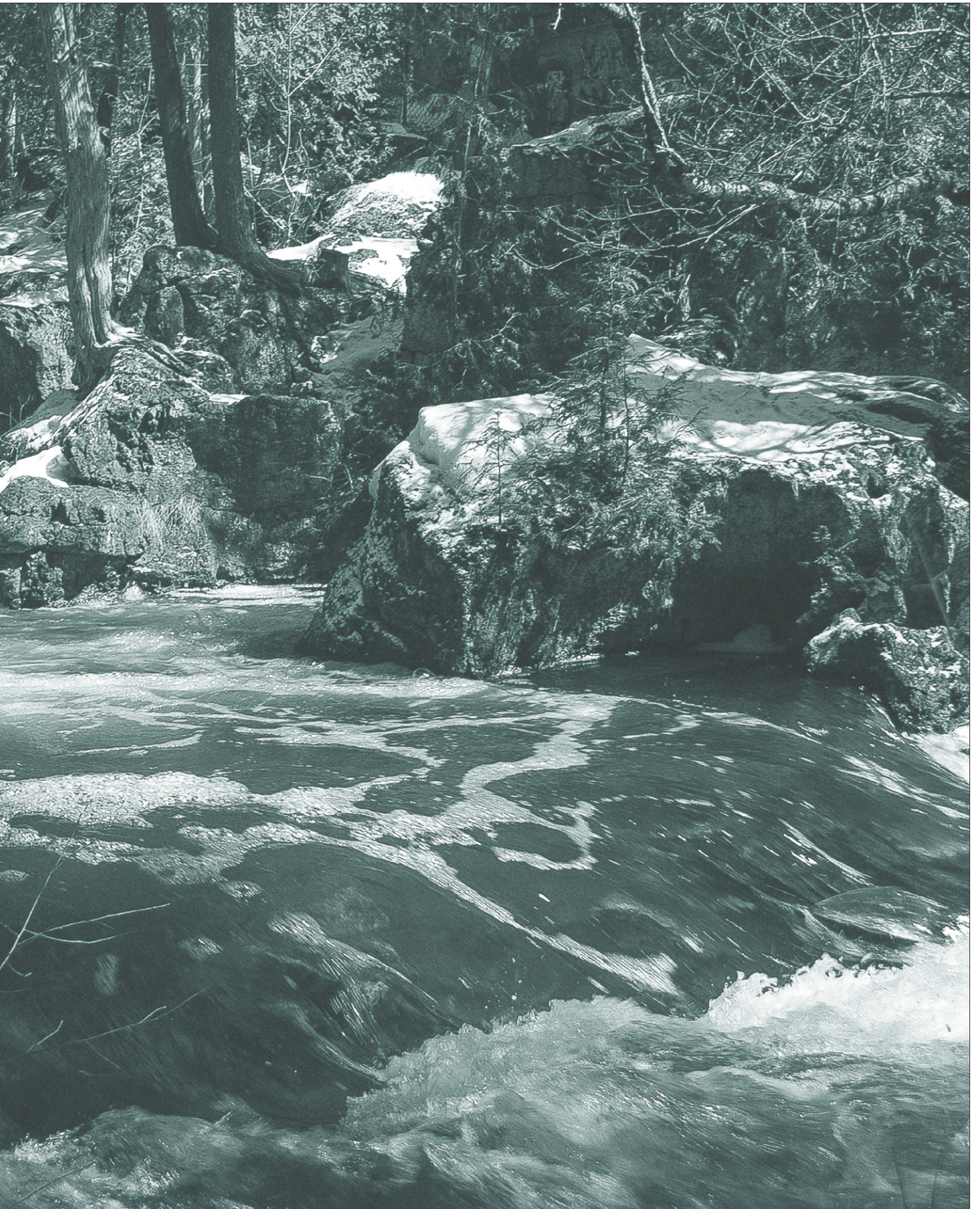
The state defines us by our birth place, not just at militarized borders, but at the doctor's office, the drop-in center, the police station, the school, in our relationships with neighbours and in all aspects of our daily life. Our status becomes an essential piece of who we are, where we can go, where we live and what we are able to do.

This magazine was produced in partnership with *Fuerza/Puwersa*, with contributions from *No One is Illegal – Toronto*, and created with a purpose: to connect the struggles of people of all statuses in an attempt to dismantle the current system of citizenship that makes many of us vulnerable. Together, we can make a world where no-one is denied by the state borders, where no one suffers because of their status.

Let's continue to find each other at our various points of struggle-- at the health clinics, farms, prisons, schools, airport terminals, community centers and demonstrations-- until we are all free. Δ

– *The Peak Collective*

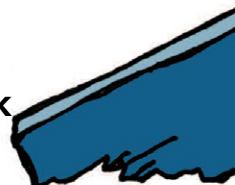




TEMPORARY **كل الحدود مؤقتة** TODAS LAS FRONTERAS
ALL BORDERS ARE
все границы временны

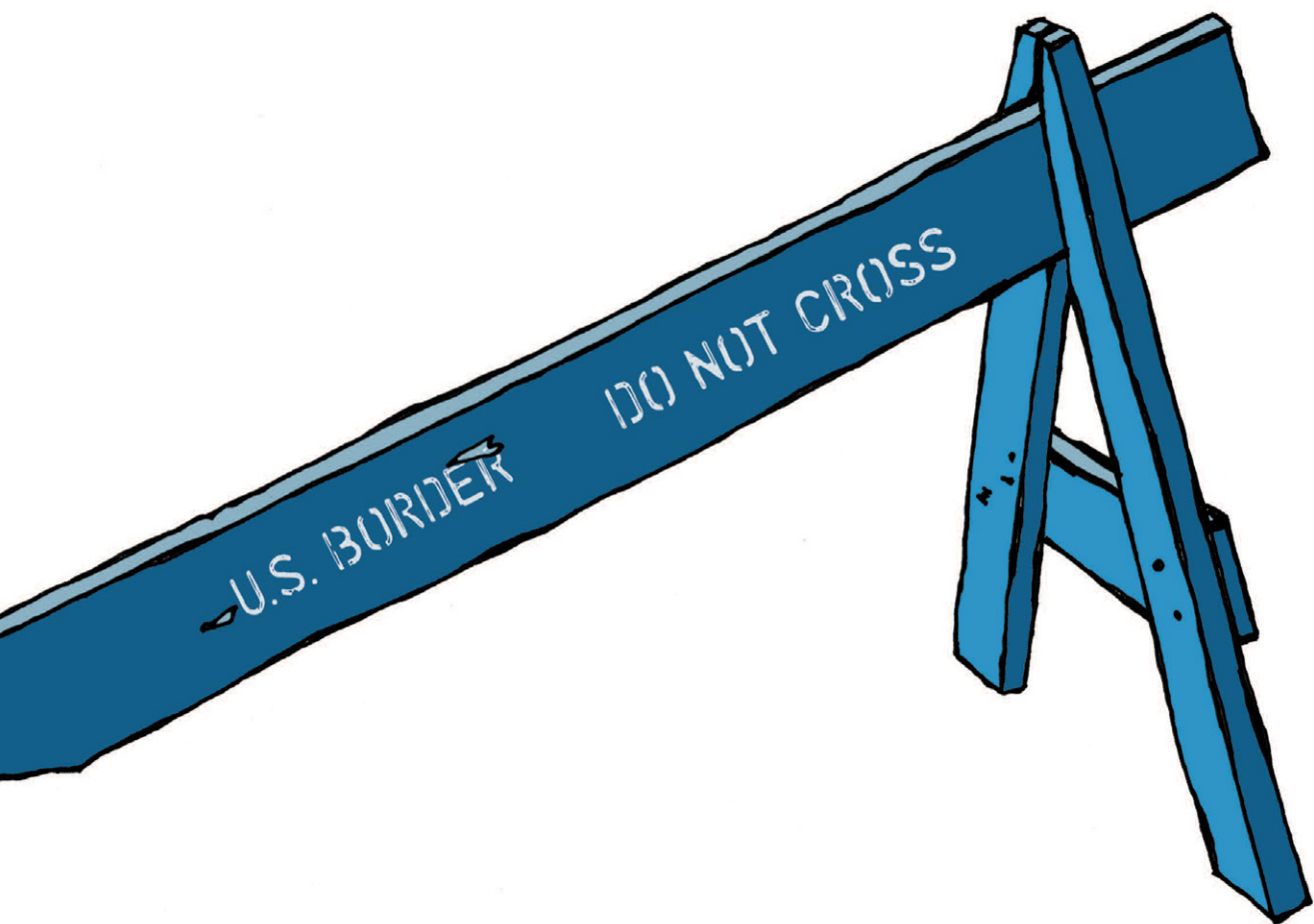
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PEOPLE OF MEXICAN
DESCENT WORKING
AS "JORNALEROS"
IN NEW YORK

Two members of the group *Jornaleros Unidos De Woodside (United Day Laborers of Woodside)* talk about working and organizing day labourers in NYC
By Migrant Matters Radio



RAS SON TEMPORALES Все границы временны

كل الحدود مؤقتة
所有的国界是暂时的



PREVIOUS PAGE A limited-edition portfolio of handmade prints addressing migrant issues from Justseeds & CultureStrike "All Borders Are Temporary" by Josh MacPhee migrationnow.com

RECORDED IN THE WINTER OF 2010 AT Guelph's community radio station CFRU, the following is an excerpt of a phone interview conducted by Migrant Matters Radio, Cailey Campbell, and Eduardo Huesca, with two members of the group *Jornaleros Unidos De Woodside* (*United Day Laborers of Woodside*), who were born in Mexico and when interviewed were working as day labourers in New York, USA. To listen to the full interview in Spanish, visit radio4all.net and use search terms "Migrant Matters Radio" or "Day Labourers." or visit guelphpeak.org

This interview was transcribed by Jaime Brenes Reyes and MaryCarl Guiao.

Migrant Matters Radio: Can you introduce yourself and the focus of the organization?

Jornaleros Unidos: We are immigrant workers located in New York. Regularly we do construction work, gardening, moving and plumbing. There are problems every-day that started the organization, we talk about these problems that we face everyday.

MMR: Thank you. Here in Canada, there is not the category of "jornalero" and the meaning of this word is not clear for us.

JU: "Jornalero" is a word that we invented. They hire us for a day or a couple of hours, and because we can only work for sessions of one day we use the term "jornalero" since it is one "jornada" that we work.

MMR: Now it makes sense, thanks a lot. Can you talk a bit about the history of the organization?

JU: The history of the "*Jornaleros Unidos*" is very short. It began last year, in October, because of ten partners that were arrested looking for work in New York. This moved us to talk to each other and get organized

to challenge that type of abuse. We started getting together every couple of days, and began to create our organization. We realized that it was necessary to challenge the current conditions and this is how we created *Jornaleros Unidos*, which just celebrated one year of work this last week. There are many organizations that say they work with the jornaleros, and say that they represent them. But there are still problems. We don't see those organizations as solving or addressing the problems we face as immigrant workers. They seem to have a different agenda. They use people when they need to during elections and when their events are about to happen. We don't agree with those types of organizations. That is why our organization is led by the workers themselves, we are solving the problems ourselves. We are the only ones that know what is happening to us and the type of organization that we need.

MMR: Yes, that is something that also happens here in Canada, where many organizations are disconnected from what is actually happening. As a Jornalero, what do you think about the process of immigration, what does immigration mean for you and how do you see the debate about legalization?

JU: We think that the so-called reforms are disconnected from us. We wish things to work in a different way. That's why we propose a movement with the goal of immigration documents for all led by immigrants themselves. It shouldn't be the directors of the organizations; because they do not understand the needs of the people, of the families, the harassment from police, or the problems at work. So if immigrants lead the movement then I think we will get somewhere. If we wait for a politician to table a bill in Congress, it is part of their game and they haven't solved anything. It has been two presidential

periods, from Bush to Obama, and nothing has changed. In fact, things have gotten worse. Not much is going to be solved, those people don't do much. They don't give room for the people that actually do things. People have to go and demonstrate and say enough, we want something real, we want equality status. All we see are organizations calling congress, leaders bringing immigrants to marches when leaders want them to. There are organizations that demonstrate for one thing, and other organizations that demonstrate for other things. That division is bad because the immigrants don't know where to go. They can't decide what organization to turn to. Those organizations say we have to fight, but all they do is to divide.

MMR: In regards to what you are saying about the power of people when they organize and problems with other organizations, can you talk about Jornaleros Unidos, and its relationships with these other organizations?

JU: There are organizations that work with us because they agree with our philosophy that the workers decide what to do and where to go. There are also organizations that only say what to do, but don't do much and well, they don't like that workers are starting a strong movement. They don't say anything bad about us but they divide themselves from us. They don't connect with us. Few of them support our project. We are not fighting with anyone, we are always trying to connect with others. We are not saying that these organizations are bad, but that their structure is not connected to the people. It is very dangerous when people start to talk on behalf of others and say that they want to help. These people have a job, they don't know what it feels like to be discriminated against, not to have a wage at the end of the month.

As an example, we were coming from a meeting where they were talking about immigration while a pregnant woman was given a ticket in the park. Their system is to go to meetings, talk, get people together, while the director tells them we need to do this or that, but the fight is outside. They are using the same political system, and that is very dangerous because it is the same approach as those in power. We want to create an alternative, where people can say 'wow, that is what should be done'.


MMR: Okay, another question, before immigrating to the US, did you have experience with syndicalism or with organizing political demonstrations in Mexico, or did you start to gather experience in the US?

JU: I never took part in a strong movement back home. I learnt from school that I have to fight for my rights, if I want something I have to do something to get it. My school was called Emiliano Zapato, it was built by my teachers, and they fought for that piece of land. For me it was a very good experience to attend that school, I learnt a lot, that's where, I think, my idea of people's power was born. I never thought that I was going to do something in the US. Personally, I have to do something because they are calling me a 'criminal', an 'illegal', there are so many policies that do not respect us. People have to understand that you need to fight, regardless of if you want to or not. My colleague can tell you more things about the movement in Mexico.

What I have learnt is that whether or not someone behaves well, one is going to get in troubles. I always wanted to be a good person, in Mexico and also here. But seeing so much injustice happening in Mexico, made me think that I had to do something. I realized that I cannot do nothing while my neighbour is abused, or here in the US, to do nothing while my

colleague is sent to prison or my comrade is not being paid for his job. It is impossible to do nothing while so much injustice is taking place. This has been the motivation to work for this organization, to talk with others about it, to tell them that we cannot be accomplices of what is happening. If you do nothing then you're part of the abusing team, you become an accomplice. As we say in Mexico, the one that catches the cow sins as much as the one that gets the cow from the leg. That's why we cannot just witness what is happening. We aren't saying that we are going towards socialism, or we simply want to solve the unfair things that have happened us on daily basis. We want justice, we want our rights, our human rights. These are declarations that the US and other countries have signed. They are written somewhere where they are violated everyday. It happened in the US, in Mexico, and elsewhere. We cannot forget those victories that other generations have attained, and now we are not defending them. We let our rights be violated, in New York, in Mexico and in other places. Recently there was a massacre in the Philippines, and then Hillary Clinton goes there for a visit. I don't know what she is doing there and whether she ordered the coup d'état in Honduras. We do not need to be cheated by big corporations that sell us a virtual world. Reality is very different from what we see in the media. We have a compromise with the future. I don't know if my friend mentioned our newspaper - this last week we published our first article in our newsletter, where we are inviting other people that agree with the work of '*Jornaleros Unidos*', that live in this 'three-state' area, as he said, to do something and change what is happening. That is our motive, the things that take place everyday: the abuses, the discrimination, the separation from our family, and now the unemployment which is at a very high level in the US.

MMR: Your thoughts are very good. What you said made me think about something; we know that deportations happen very often in the US, how does that risk affect your fight and how do you overcome it?

JU: Many immigrants, when we tell them there is a meeting or demonstration, the first thing that runs through their mind is whether the police are going to arrest them or that they will be deported. That is a fear that we all feel, but some people feel it more than others. We tell them that they should not be scared, that they should take control of their mind, to leave that fear and to go and protest, because the system has always used that fear, it paralyzes people and it doesn't allow action - it is a weapon. We have to overcome the fear that the system uses. The first step is that our comrades overcome this fear. Because sooner or later, what is waiting for us here? Deportation regardless of what you do. It doesn't matter whether or not you go outside and yell, because even if you don't go to protest you may be deported. There are no alternatives, we have to go and defend ourselves. Something that we tell our comrades is that all human beings have the same rights, and here in the United States we have the rights of any citizen; to vote and to ask for unemployment insurance. Therefore they should not be afraid to go to a demonstration and to ask for what is written in the declaration of human rights. When they don't know about these things, how can they defend their rights? They don't know they have those rights, they don't know that in any country you have those rights and that you have to fight for them. According to the law no one can take those rights away from you. That is what we try to tell our comrades, that they have rights. 

Line 9 Resistance Chronology

By Guelph Anti-Pipeline & Peak Collective

JANUARY 17TH, 2013

Santiago, Chile: Camilo Valdes Mateluna was sentenced to 5 years plus a day in prison for throwing a molotov cocktail at a police van during the commemoration of the Day of the Youth Combatant on March 29th, 2012. For more info on the day of the youth combatant, check out this free film online called the Chicago Conspiracy. crimethinc.com/movies/chicago.html

MAY 22ND, 2012

London, ON: Disruption of the National Energy Board's proceedings, and the establishment of a People's Hearing on the Tar Sands Pipeline

Vancouver, BC: Greenpeace fakes oil spill in front of Enbridge office

DEC 10TH, 2012:

Sarnia, ON: Protest at Sarnia's Enbridge site

JAN 23RD, 2013

Line 9 Day of Action called by Environmental Defence.

Burlington, VT: Flashmob: No Pipelines! Wall of Resistance and Solidarity

Toronto, ON: Rally at Toronto City Hall

Toronto, ON: "No Line 9!" bloc at Rally for Rights and Democracy

Toronto, ON: Oil pipeline/photo exhibit/canvass

Ottawa, ON: Oil Sands-Free Ontario action

Kingston, ON: Photo displays, music, information and speeches

Burlington, ON: "No Tar Sands Oil across Ontario" movie screening

Boston, MA: Protest at Mattapan Mobil station

Boston, MA: Mass canvass and human pipeline across Boston Commons

Boston, MA: Protest at Cambridge Mobil station

Waltham, MA: Protest at Newton Mobil station

Concord, MA: Protest at Concord Mobil station

Lowell, MA: Protest at Billerica Mobil station

Amherst, CT: Protest at Amherst Mobil station

Northampton, CT: Hadley action

Portland, Maine: Rally/protest

Bangor, Maine: Bangor "Tar Sands-Free New England" rally and Congressional office visits

Lancaster, VT: "Hands Across the Connecticut River" action

Montreal QC: Community forum to build resistance and alternatives to tar sands pipelines

Montreal QC: Outdoor activities against the flow reversal for the pipeline from Montreal-Portland

MARCH 15TH, 2013

Vancouver, ON: Greenpeace fakes oil spill in front of Enbridge office for a second time.

Aamjiwnaang & Sarnia, ON: Toxic Tour of Canada's Chemical Valley

April 7th, 2013

Toronto, ON: "No Tar Sands in Toronto" panel

APRIL 18TH, 2013

Guelph, ON: Apply-a-thon to the National Energy Board

APRIL 21ST, 2013

Toronto, ON: Earth Day action against Line 9

MAY 1ST, 2013

Kingston, ON: "The Spill Experts" street theater piece performed at International Worker's Day BBQ

MAY 6TH, 2013

Hamilton, ON: Highway blockade of Hwy 6. A group of activists from across Southern Ontario blockaded Highway 6 at Enbridge's Line 9 crossing. The group held the space for ninety minutes; one minute for each of the significant spills Enbridge has annually. This action included a simulated oil spill and ineffective cleanup to demonstrate the dangers of transporting diluted bitumen through our communities.

MAY 9TH, 2013

Everywhere: Social Media Action against Enbridge Line 9

MAY 17TH, 2013

Aamjiwnaang: Community social, dinner and discussion about the tar sands.

MAY 21ST, 2013

Sarnia, ON: “Bitumen: Canada’s National Disaster” rally, march and disruption of pro-tar sands conference (called “Bitumen: Adding Value - Canada’s National Opportunity”)

JUNE 6TH, 2013

Hamilton, ON: Hamilton 350 launches a lawsuit against Hamilton Police for accepting \$44,410 in donations from Enbridge and staged a protest outside of Hamilton police headquarters

JUNE 7TH, 2013

Guelph, ON: “No Line 9” house show

JUNE 20TH, 2013

Westover, ON: 60 people from across Southern Ontario began a blockade (#SwampLine9) at the Enbridge Westover Terminal, effectively halting construction on the site for five days.

JUNE 22ND, 2013

Southern Ontario: In the surrounding Westover area, a CN mainline was

disrupted by attaching copper wire to the rails, which signalled the traffic to stop. This action was inspired by the occupation of Enbridge’s Westover pumping station.

JUNE 25TH, 2013

Westover, ON: An injunction was served, addressed to “Jane and Jon Doe”, thirteen cities across Canada responded with solidarity actions.

Toronto, ON: University Ave in front of the Supreme Court was shut down and a mock oil spill was enacted.

Vancouver, ON: a banner drop proclaimed “Enbridge poisons communities.”

Sarnia, ON: folks flied and picketed outside of Enbridge’s Sarnia terminal.

Peterborough, ON: a banner dropped outside the central bus terminal and read, #SwampLine9: No Tar Sands on Stolen Native Land.

Edmonton, ON: a banner delivered #SwampLine9’s message to the head of Enbridge Alberta and Thorold offices and promised continued resistance.

Information pickets were organized in downtown Kitchener, Ottawa and Kingston. Hundreds of flyers were handed out.

Guelph, ON: a giant blue puppet dubbed the OcTARpus was walked around downtown while flyers were given out. As well as graffiti put up around town.


Hamilton, ON: people gathered and marched down busy King Street and shut

down traffic.

London, ON: a solidarity rally and spoken word in the park was followed by a walk to hand out fliers.

Westover, ON: The occupation ended with the mass arrest of nearly everyone on the site. Of the twenty people arrested, fifteen received trespassing tickets, four people who were locked down were charged with mischief under five thousand dollars and disobey court order. One other was charged with break and enter.

Southern Ontario: In the surrounding Westover area, a CP mainline was disrupted by attaching copper wire to the sides of the rails, signalling traffic to stop:

“...We choose to disrupt freight traffic after hearing of the occupation, and wanted to show our complicity with their struggle...we hope our actions let those occupiers know they are not alone...” 


More info on the Occupation in Westover on Page 72...



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CITIZENSHIP FOR WHOM?

The systematic exclusion of migrants from Canadian citizenship creates a hierarchy that enables the exploitation of their labour. How the dichotomy between "migrant" and "citizen" bolsters up the Canadian economy and hides a system of segregation and apartheid. *by Mina Vonnomechingues*



we were slaves,
crossed
land & sea
Began
again,
strangers,
became for once,
free

CIUDADANÍA PARA QUIÉN?

La exclusión sistemática de migrantes de ciudadanía Canadiense crea una jerarquía que permite la explotación de su labor. Explique como la dicotomía entre "migrante" y "ciudadano" ayuda a la economía Canadiense y esconde la sistema de segregación racial. *by Mina Vonnomechingues*



PREVIOUS PAGE A limited-edition portfolio of handmade prints addressing migrant issues from Justseeds & CultureStrike "Untitled" by Bec Young migrationnow.com

LEFT/RIGHT What does it mean to be illegal? What does it mean to be a citizen? Art by Bryan Hill

THIS PAST MAY, A SERIES OF RAIDS BY CBSA (Canadian Borders Service Agency) took place on different farms in Southwestern Ontario, which resulted in the arrest and detainment of six undocumented migrants in Kingsville. Despite the fact that these individuals were working and contributing to the Canadian economy, their lack of papers or working permit made them "illegal" and subject to deportation. Although this is the first series of raids that has occurred during the 2013 season, CBSA raids are not uncommon in Ontario. In 2012, forty-seven people were detained during raids on farms in Ontario alone. For those reading this article, these numbers may not seem very high, and it is for this reason that the majority of these raids go unnoticed. However, the focus should not be placed on the number of individuals who are detained but rather the message it sends to both the individuals who were deported and those working in the same spaces with permits. It sends a clear message that those migrating to do agricultural work can reside and work in Canada within set restrictions. If those restrictions are not followed or met people will be removed.

Furthermore, the response to these raids, and other media pieces surrounding labour and migrants without citizenship, has been, for the most part, negative. In many cases, responses have come from citizens who have lost their jobs or know someone who has lost their job to a so-called "foreigner." In the same breath however, many of these same individuals will also hail Canada as a welcoming country famous for its multiculturalism and acceptance of refugees. What becomes apparent is that one's acceptance in "Canadian society" is largely dependent on the label that is placed on you once you have arrived, regardless of what you have to offer. Although this is subtle, it effectively creates difference and a hierarchy in which citizens are seen as the most "dominant" and deserving in terms of asserting rights and agency within the country. Without citizenship, the rights and agency of a person become negotiable in Canadian law depending on where one stands on the ladder, with permanent residency at the top and "low skilled temporary foreign workers" and undocumented workers at the bottom.

Although the anger expressed by those who have faced losing a job is appropriate, it is important to note how the distinction that exists in Canada between "citizen" and "foreigner" creates what academic, Nandita Sharma, calls a "global apartheid" within Canada. This article focuses on the idea of "apartheid" or segregation in Canada and shows how the tactic of "othering" through citizenship is purposefully used by the Canadian state. This is done in order to create a successful economy on the backs of those without citizenship, while making their exploitation invisible. In this case, apartheid is not about keeping people apart, but rather keeping an exclusive system that intentionally separates racialized people within it.

THE TRENDING OF "TEMPORARY"

It is important that those who continue to take part in the rhetoric of Canada as a welcoming and peaceful state check themselves and do a little bit of research. Canada as a state exists through the erasing of colonial and racist history. To replace this, Canada has created the illusion or



LA PÁGINA ANTERIOR

A demuestra una edición limitada de impresiones hecha de mano que ensena problemas de migrantes. Este imagen "Untitled" es hecho por Bec Young y es parte de Justseeds y CultureStrike

IZQUIERDA/DERECHA Que quiere decir ser ilegal. Que quiere decir ser un ciudadano. Arte por Bryan Hill

EN MAYO PASADO, UNA SERIE DE INCURSIONES por la CBSA (Agencia de Servicios Fronterizos de Canadá) se llevó a cabo en diferentes granjas en el suroeste de Ontario que resultó en el arresto y la detención de seis inmigrantes indocumentados en Kingsville. A pesar de que estas personas estaban trabajando y contribuyendo a la economía canadiense, su falta de papeles o permiso de trabajo hizo que fueran considerados "ilegales" y sujetos a deportación. Aunque esta es la primera serie de ataques que ha tenido lugar durante la temporada de 2013, las incursiones de la CBSA no son poco frecuentes en Ontario. En 2012, 47 cuarenta y siete personas fueron detenidas en redadas en granjas, sólo en Ontario. Para los que leen este artículo, estos números pueden no parecer muy elevados y es por esta razón que la mayoría de estos ataques pasan desapercibidos. Sin embargo, el enfoque no debe ser colocado en el número de personas que están detenidas, sino el mensaje que envía tanto a los individuos que fueron deportados como a quienes trabajan en los mismos espacios y tienen un permiso de trabajo.

Para muchos, se envía un mensaje

claro de que las personas que migran para trabajar en la agricultura puede residir y trabajar en Canadá dentro de las restricciones establecidas. Se eliminarán a las personas si no cumplen esas restricciones.

Por otra parte, la respuesta a estos ataques, y a otras piezas de comunicación alrededor de temas laborales y los inmigrantes sin ciudadanía, ha sido, en su mayor parte negativos. En muchos casos, las respuestas han llegado de los ciudadanos que han perdido su empleo o conocen a alguien que ha perdido su trabajo a causa de un "extranjero". En el mismo tono, sin embargo, muchas de estas mismas personas también alardean de Canadá como un país acogedor, famoso por su multiculturalidad y la gran cantidad de refugiados que aceptan. Lo que se hace evidente, es la aceptación de uno en "la sociedad canadiense" depende en gran medida de la etiqueta que se coloca sobre ti una vez que haya llegado, a pesar de lo que cada individuo tiene para ofrecer. Aunque esto es sutil, efectivamente crea diferencia y una jerarquía, en la que los ciudadanos son vistos como la "clase dominante" y merecen hacer valer los derechos y capacidad de actuar libremente (agency)

en el país. Sin la ciudadanía, los derechos y capacidad de actuar libremente (agency) de una persona se convierten en algo negociable para la legislación canadiense dependiendo de en que puesto de la escalera estás, siendo la residencia permanente la cima y "trabajadores extranjeros temporales poco calificados" y los trabajadores indocumentados en el ultimo escalón.

Aunque la ira expresada por los que han perdido su trabajo es entendible, es importante tener en cuenta cómo la distinción que existe en Canadá entre "ciudadano" y "extranjero" crea lo que la académica, Nandita Sharma, llama a un "apartheid global" dentro de Canadá. Este artículo se centra en la idea de este "apartheid" o la segregación en Canadá y muestra cómo la táctica de la "otredad" a través de la ciudadanía se utiliza a propósito por el estado canadiense. Esto se hace con el fin de crear una economía exitosa sostenida en las espaldas de los que no tienen la ciudadanía, mientras realiza su explotación invisible. En este caso, el apartheid no es acerca de mantener separadas a las personas, sino mantener un sistema inclusivo que intencionalmente separa a la gente por raza.

...the tactic of "othering" through citizenship is purposefully used by the Canadian state. This is done in order to create a successful economy on the backs of those without citizenship, while making their exploitation invisible.

image of a multi-cultural nation. Although folks often admit and take pride that Canada was created through the incoming of immigrants, it is left out how racialized individuals were treated during this process. An excellent example is how Asian folks were brought in to build roads and railways but were either deported following this or later forced to pay a head tax for their citizenship. Many politicians will go as far as to boast that this nation overthrew colonialism with its acceptance of escaped black slaves, but they fail to mention the theft of land in Canada relied on excluding indigenous peoples renamed as "Indians" from Canadian citizenship (Sharma, 2009).

In the last decade the government has passed a series of measures that places tight restrictions on those coming into Canada as landed immigrants and refugees. The first wave of restrictions began in 2001 with the introduction of the "Immigrant and Refugee Protection Act" (or Bill C-11) and has continued through today with the passing of Bill C-31 (an amendment act to Bill C-11) in 2012 and, most recently, with the changes made to the Parent and Grandparent Program for Sponsorship this past May. Each measure has placed drastic restrictions, freezes and caps on the number of people who can come to Canada on the path to permanent residency. Since 2006 there has been a twenty five percent reduction in refugee acceptances and a seventy three percent drop in the number of permanent residents receiving Canadian citizenship. This does not mean that individuals from abroad are not arriving to Canada. Canada has experienced record-high numbers of people crossing the border; however, the conditions that they come into Canada with are vastly different. It is no coincidence that 2006 marked the same year that the number of migrants arriving in Canada under the temporary foreign workers program surpassed those arriving as landed immigrants. Although government officials contend that the use of these workers is a "temporary" solution to the issue of "labour shortages," programs have been in existence since 1973 and are only becoming larger and increasing in number.

The majority of migrants in temporary foreign worker programs are coming through either the Live-In Caregiver

Program (LCP), the Seasonal Agricultural Workers Program (SAWP) as well as the National Occupational Classification (NOC) C&D Pilot Project. These programs are significantly different in how they are structured, but are all deemed "low skilled" or what the government refers to as "level C and D skilled work." Because there is a low economic value in these jobs the government offers little access to social programs or permanent residency. Out of the three, only the Live-In Caregiver program offers paths to permanent residency after two years of work. Despite the fact that some workers under the SAWP program have been returning for over two decades, they will never have the right to apply for permanent residency, let alone citizenship. Since 2011, individuals arriving through the NOC C&D program can only stay for a cap of two years and must wait two more years to apply again. This exclusion of permanent residency effectively entrenches a lower social value on these individuals as the government is not willing to invest in their well being despite the fact that a large part of the Canadian labour market would not exist without their cheap labour.

The restrictions that exist for those working under "low skilled" programs might also explain why some may choose to go underground. In all three of these programs mobility is restrictive with little to no opportunity to find new employers if a person finds themselves in an abusive work situation. In respect to the SAWP, workers are only brought back for another work season if their employer chooses to bring them. I have met individuals who, working under this program, have had to endure the abuse of a bad employer because they were too afraid that they would not get accepted into the program the following year. The NOC C&D pilot project (the program that is growing the fastest) offers the least security to an individual, as it is reliant on third party recruiters. This means that the government has little oversight over the project and those who work to recruit migrant workers are not accountable to anyone. Because of this, recruiters will often take advantage of folks coming into the program. Many migrants are promised different jobs or higher pay before they have arrived in Canada or are charged ridiculous amounts for a working

LA TENDENCIA DE "TEMPORAL"

Es importante que aquellos que siguen tomando parte en la retórica de Canadá como país acogedor y tranquilo comprueben ellos mismos y hagan un poco de investigación. Canadá como Estado existe por la eliminación de la historia racista y colonial. Para cambiar esto, Canadá ha creado la ilusión o la imagen de una nación multicultural. Aunque la gente a menudo reconoce y se siente orgullosa de que Canadá fue creado a través de la entrada de inmigrantes, se deja fuera la manera racializada en que estos individuos fueron tratados durante este proceso. Un excelente ejemplo es cómo la gente de Asia fue llevada a la construcción de carreteras y ferrocarriles, pero fueron ya sea deportados después de esto u obligados a pagar un impuesto para su ciudadanía. Muchos políticos presumen que esta nación derrocó el colonialismo, con la aceptación de esclavos negros fugitivos, pero deja de mencionar que el robo de la tierra en Canadá se basó en la exclusión de los pueblos indígenas cambiando el nombre a "indios" en vez de ser considerados sólo ciudadanos canadienses (Sharma, 2009).

En la última década, el gobierno ha aprobado una serie de medidas que impone severas restricciones sobre los que vienen a Canadá como residentes permanentes y los refugiados. La primera oleada de fuertes restricciones se inició en 2001 con la introducción de la "Ley de Protección de los Inmigrantes y Refugiados" (o proyecto de ley C-11) y ha continuado hasta hoy con la aprobación de la Ley C-31 (un acto de enmienda a la Ley C-11) en 2012 y, más recientemente, con los cambios realizados en el Programa de Abuelos Padres y de Patrocinio, el pasado mayo. Cada medida ha puesto restricciones drásticas, congela el número de personas que pueden venir a Canadá en el camino a la residencia permanente. Desde 2006 se ha producido un 25% veinticinco por ciento de reducción en las aceptaciones de refugiados y un 73% setenta y tres por ciento de caída en el número de residentes permanentes que reciben la ciudadanía canadiense. Esto no significa que las personas de otros países no lleguen a Canadá. Canadá ha experimentado un número récord de personas que cruzan la frontera, sin embargo, las condiciones a las que entran en Canadá

son muy diferentes. No es casualidad que el año 2006 marcó el año en que el número de inmigrantes que llegan a Canadá bajo el programa de trabajadores temporales extranjeros superó los que llegan como residentes permanentes. Aunque los funcionarios del gobierno sostienen que el uso de estos trabajadores es una solución "temporal" a la cuestión de la "escasez de mano de obra," estos programas han estado en existencia desde 1973 y sólo son cada vez más grandes y aumentando en número.

La mayoría de los migrantes en los programas de trabajadores extranjeros temporales vienen ya sea a través del Live-in Caregiver (LCP), el Programa de Trabajadores Agrícolas Temporales (PTAT), así como la Clasificación Nacional de Ocupaciones (NOC) C & D Proyecto Piloto. Estos programas son muy diferentes en la forma en que están estructurados, pero todos se consideran como trabajos "poco calificados", o lo que el gobierno denomina "nivel C y D de obra calificada." Debido a que existe un valor económico bajo en estos trabajos que el gobierno ofrece un acceso limitado a los programas sociales o a la oportunidad de residencia permanente. De los tres, sólo el programa Live-in Caregiver ofrece caminos hacia la residencia permanente después de dos años de trabajo. A pesar de que algunos de los trabajadores en el marco del programa de PTAT han trabajado en Canadá desde hace más de dos décadas pero nunca tendrán el derecho a solicitar la residencia permanente, y mucho menos la ciudadanía. Desde 2011, las personas que llegan a través del NOC C y D del programa sólo pueden permanecer por un máximo de dos años, y deben esperar dos años más para aplicar de nuevo. Esta exclusión de residencia permanente afianza efectivamente un valor social menor en estas personas ya que el gobierno no está dispuesto a invertir en su bienestar a pesar de que la gran parte del mercado de trabajo canadiense no existiría sin su mano de obra barata.

Las restricciones que existen para aquellos que trabajan en los programas de trabajo "poco calificados," también podría explicar por qué algunos pueden optar por pasar a la clandestinidad. En estos tres programas la movilidad es restrictiva con poca o ninguna oportunidad de encontrar nuevos empleadores una persona encuentra a sí misma en una situación

...la táctica de la "otredad" a través de la ciudadanía se utiliza a propósito por el estado canadiense. Esto se hace con el fin de crear una economía exitosa sostenida en las espaldas de los que no tienen la ciudadanía, mientras realiza su explotación invisible.

de trabajo abusiva. Respecto al programa SAWP, los trabajadores sólo son llamados de nuevo para otra estación de trabajo si su empleador decide hacerlo. He conocido a personas que, trabajando en este programa, han tenido que soportar el abuso de un mal empleador porque tenían demasiado miedo de no ser aceptados en el programa del año siguiente. El proyecto piloto NOC C y D (el programa que está creciendo más rápido) ofrece menor seguridad al empleado, ya que su trabajo depende de reclutadores. Esto significa que el gobierno tiene poca vigilancia del proyecto y los que trabajan para reclutar trabajadores migrantes no son responsables ante nadie. Debido a esto, los reclutadores a menudo se aprovechan de personas que entran en el programa. A muchos migrantes se les promete diferentes puestos de trabajo o salarios más altos antes de que hayan llegado a Canadá o se les cobra cantidades ridículas para un permiso de trabajo. Si bien los trabajadores firman un contrato que se supone es para evitar esto, el programa ha sido diseñado para que el gobierno de Canadá no sea legalmente responsable por el contrato. A lo largo de esto, es importante recordar que la mayoría de los que entran en estos programas son personas de países empobrecidos afectados por la inversión negativa de Canadá y cuyas familias dependen del dinero que les envían. En muchos casos, los trabajadores que entran legalmente a través de este programa se convierten en "ilegales", ya que se ven obligados a romper las restricciones establecidas en su permiso de trabajo con el fin de encontrar un mejor trabajo o empleadores.

permit. Although workers sign a contract that is meant to prevent this, the program has been designed so that the government of Canada is not legally responsible to the contract. Throughout this, it is important to remember that the majority of those entering into these programs are individuals from impoverished countries affected by negative Canadian investment and whose families will be dependent on the money that they send back. In many cases, workers who come in legally through this program become "illegal" as they are forced to break the restrictions set on their work permits in order to find better work or employers.


It is important to understand that within this hierarchy of inequality that exists in Canada, not all those who migrate to work are experiencing discrimination in the same way. Those who arrive under the temporary foreign workers program to perform "high skilled" work or "level A and B" work are treated significantly different. These workers represent those who come to work business jobs, or as engineers, doctors, artists, etc. Through these programs there is far more access to social programs and in each province these individuals are offered paths to permanent residency. Although a current freeze has been placed on individuals applying for permanent residency through what is called "The Canadian Experience Class," individuals can still apply through the "Provincial Nominee Program" which relies on being nominated by the province and one's employer. It is also important to note

that in many cases these individuals are not referred to as "temporary foreign workers" in our society despite the fact that they are coming in through the same overarching program. This effectively demonstrates how specific uses of "temporary" and "foreign" are reserved for individuals performing "low-skilled" work in this country.

CONCLUSION

In mainstream media, the government continues to ride on the fact that we accept more refugees and immigrants than most countries in the world. This creates a narrative that maintains that people should be lucky that they have the "opportunity" to become Canadians. However, there have been nothing but restrictions placed on those immigrating to Canada. At the same time, Canada has expanded programs that involve the use of cheap labour of individuals who in many cases have no other choice. For those women and men who come to Canada under the label of "foreigner," their experiences are shaped by constantly being denied the social, political and economic rights of citizenship. The labels of 'temporary' and 'foreign' effectively prevent them from making Canada their home in any capacity. On the flip side, the majority of those who do have status in Canada deem these denials as reasonable because of an inherent belief that they are more deserving of rights. The irony of this is that we are living in a time where more people than ever before are crossing borders legally and illegally as economic

migrants in search of better and more secure livelihoods. In 2010 alone, more than two hundred and fourteen million people (or three percent of the world's population) lived outside of their country of origin. What is worse is that many of the citizens who are critical of migrants coming in never question their own travel or decisions to live abroad.

Ultimate one must ask: why is it that in a country that exists as a result of migration, are the paths to mobility and residency becoming increasingly restrictive? The answer is simple. If this were allowed, individuals would no longer be so marginally dismissed and forced to accept the restrictive and exploitative conditions that allows Canada to make use of their cheap labour. They would no longer be "temporary foreign workers." Their immobility and restrictions demonstrate effectively how well capitalism works. It is understandable that citizens in Canada are angry that they are losing their jobs; however, once one understands the context it becomes clear that everyone is being marginalized at different levels. Fighting for better labour practices or treatment of workers but ignoring those with different levels of status only helps to reinforce this hierarchy, which involves keeping racialized people at the bottom. Making this connection is instrumental to creating respectful resistance that does not replicate the same hierarchies that we want to eliminate. 

Ciudadanía

Es importante entender que dentro de esta jerarquía de la desigualdad que existe en Canadá, no todos los que emigran para trabajar están experimentando la discriminación de la misma manera. Los que llegan en el marco del programa de trabajadores temporales extranjeros para llevar a cabo trabajos “altamente calificados” o “nivel A, O y B” son tratados muy diferente. Estos trabajadores representan a los que vienen a trabajar en puestos de trabajo de negocios, o como ingenieros, médicos, artistas, Etc. A través de estos programas hay mucho más acceso a los programas sociales y en cada provincia a estas personas se ofrecen rutas de acceso a la residencia permanente. A pesar de la congelación actual que se ha colocado a las personas que solicitan la residencia permanente a través de lo que se llama “The Canadian Experience Class”, los individuos todavía pueden solicitar a través del “Programa Provincial de Candidatos” que se basa en ser nominado por la provincia y uno de los empleadores. También es importante señalar que en muchos casos estos individuos no se conocen como “trabajadores extranjeros temporales” en nuestra sociedad a pesar del hecho de que están llegando a través del mismo programa global. Esto demuestra efectivamente la forma específica de los usos de “temporal” y “extranjeros” están reservados para las personas que realizan un trabajo “poco calificado” en este país.

CONCLUSIÓN

En los medios de comunicación, el gobierno continúa en el hecho de que aceptemos más refugiados e inmigrantes que la mayoría de los países del mundo. Esto crea una narrativa retórica que sostiene que las personas deben tener la suerte de que tienen la “oportunidad” para convertirse en canadienses o algo parecido a la ciudadanía. Sin embargo, ha habido nada más que restricciones impuestas a las personas que emigran a Canadá. Al mismo tiempo, Canadá ha ampliado los programas que involucran el uso de mano de obra barata de los individuos que en muchos casos no tienen otra opción. Para aquellas mujeres y hombres que vienen a Canadá bajo la etiqueta de “extranjero”, sus experiencias son moldeadas por constantemente se les niega los derechos sociales, políticos y económicos de la ciudadanía. Sus etiquetas de “temporal” y “extranjero” efectivamente les impide hacer de Canadá su hogar de cualquier modo. Por otro lado, la mayoría de los que no tienen un estatus, hace que Canadá considere estas negociaciones razonables debido a una creencia inherente de que son más merecedores a derechos. La ironía de esto es que estamos viviendo en un momento en que más personas que nunca están cruzando las fronteras legales e ilegales como inmigrantes económicos en busca de mejores y más seguros medios de subsistencia. Sólo en 2010, más de 214 millones de personas (3% tres por ciento de la población mundial) viven fuera de su país de origen. Lo que es peor, es que muchos

de los ciudadanos que son tan críticos de los inmigrantes, nunca llegan a cuestionar sus propios viajes o sus decisiones de vivir en el extranjero.

Por ultimo hay que preguntarse: ¿por qué es que en un país que existe debido a la migración, los caminos para quedarse y moverse son cada vez más restrictivos? La respuesta es simple. Si esto se permite, los individuos ya no serían tan marginalmente despedidos y obligados a aceptar las condiciones restrictivas y de explotación que permite a Canadá para hacer uso de su mano de obra barata. Ellos básicamente ya no serán “trabajadores extranjeros temporales.” Su inmovilidad y restricciones demuestran efectivamente lo bien que funciona el capitalismo. Es comprensible que los ciudadanos de Canadá estén molestos porque están viviendo la pérdida de sus puestos de trabajo, sin embargo, una vez que se comprende el contexto queda claro que todo el mundo está siendo marginado en los diferentes niveles. Cuando usted está luchando por mejores prácticas de trabajo o el tratamiento de los trabajadores, pero están ignorando los que tienen diferentes niveles de estatus que sólo contribuye a reforzar esta jerarquía, que podría añadir, implica mantener a las personas racializadas en la parte inferior. Hacer esta conexión es tan fundamental para la creación de resistencia respetuosa que no replique las mismas jerarquías que queremos eliminar. △

Playing Ball

A personal experience of living, working and organizing with non-citizen status in Canada by Anonymous

IT IS A STRANGE SENSATION, TO SUDDENLY FEEL UNABLE TO interact with another human being. It is as if words can no longer contain the volume of emotions brimming below my skin. All the words have been said, repeated, rephrased, and beaten into the ground. For nearly eight years I've skirted this line, passing back and forth frequently enough. I've been stopped, searched, questioned or turned around too many times to count. Now facing the prospect of moving back, not by choice, it is difficult to think of anything else. Yet even as the present uncertainty feels like a wall in front of me, the memories keep rushing in through the cracks.

California, 2007. Driving east from San Diego, we pass through miles of unlit desert, pocked with hills and canyons. The land grows flatter approaching the middle of the state, and we see a vast outstretching of lights to the south.

Mexicali is a city of nearly one million, pressed against the US border, a city cut in two. Calexico, on the other side, has a population of under 40,000. Everyday people line up by the hundreds to cross into the US by foot, many to visit family living just on the other side. It is one of the first cities where the US government began building a wall to separate the two countries. In the first year of its construction, stories of cartels blasting holes into the fence were told. The sound of helicopters overhead is inescapable, they scan the desert with heat sensors. The words of Edward Abbey about

masses crowded in sticky cities at the border come to mind. Crime, corruption and violence abound alongside persistence and vitality, distant from the reality of most white Americans.

The occasion is No Borders Camp, a tradition imported from Europe, inspired by the urgency of rapidly militarizing border controls. At the end of the week I am arrested while playing a nonchalant volleyball game over the fence in downtown Calexico/Mexicali. I spend a long night in the Border Patrol post and three days in the county jail, listening to rumours of a semi-truck full of weed being stopped coming into California and other borderland gossip. A dark, muggy van takes me and two others to the federal courthouse. It was a scorching November day. After waiting a few minutes outside the courtroom, we are abruptly led back out of the building and into the van. We were then taken back to the jail, processed and released. It all happened quickly, and without explanation.

Weeks later, I am crossing back to Quebec, where I've been living for two years at the time. Asked if I have criminal charges. No. *Really?* A doubtful stare. No. *Really? Let's have a look at this.* A minute later I have a sheet printed in front of me. Assault P.O. (Peace Officer) Bang. My name at the top of the sheet. Good bye.

What follows are eight months of seeking proof of any kind to show that I was released without charge. Jail records? Insufficient. Long talks with



Jugando Pelota

Una experiencia personal de vida, trabajo y la organización política estados que no son ciudadanos de Canadá by Anónimo

ES UNA SENSACIÓN EXTRAÑA, DE SENTIR DE REPENTE incapaz de interactuar con otros ser humanos. Como si las palabras ya no pueden contener el volumen de las emociones burbujeando debajo de mi piel. Como si ya todas las palabras ya se han dicho, se han repetido, reformuladas, golpeado contra y dentro de la tierra. Durante casi ocho años he bordeado esta línea, pasando de ida y vuelta con frecuencia. He sido detenido, registrado, interrogado demasiadas veces para contar. Ahora, frente la situación de pasar regresar de nuevo, no por elección, es difícil pensar en otra cosa. Sin embargo, mientras que la

Incertidumbre presente se siente como un muro a frente a de mí, los recuerdos y memorias siguen corriendo y entrando por las grietas y fisuras.

California, 2007. Manejando al este de San Diego, pasamos a través de kilómetros de desierto no iluminado, salpicado de colinas y cañones. La tierra se pone más plana acercándose al centro del estado, y vemos un gran tramo de luces hacia el sur.

Mexicali es una ciudad de casi un millón, fijado contra la frontera de los EU, una ciudad cortada en dos. Calexico, por el otro lado, tiene una población de menos de 40.000. Cada día, gente se alinean por los cientos para cruzar a los EU a pie, muchos para visitar familia que vive en el otro lado. Es una de las primeras ciudades en las que el gobierno de EU comenzó a construir un muro entre los dos países. Incluso en el primer año de su

construcción, la gente cuenta historias de los cárteles explotando hoyos en la pared. Mientras tanto, el sonido de los helicópteros por arriba de la cabeza es inevitable, explorando el desierto con sensores térmicos. Las palabras de Edward Abbey, describiendo las masas abarrotadas en las ciudades pegajosa de la frontera vienen a la mente. Delincuencia, la corrupción y la violencia abundan junto con la persistencia y la vitalidad, distante de la realidad de la mayoría de los estadounidenses blancos.

La ocasión es un campamento de “No Borders Camp”, una tradición importada de Europa, inspirado en por la urgencia y rapidez de la militarización en controles de la frontera. Al fin de la semana me arrestan mientras juego un simple partido de voleibol en el otro lado de la frontera, en el centro de Calexico / Mexicali. Me pasé una larga noche larga en el puesto de seguridad en la frontera y tres días en la cárcel del condado, escuchando rumores de un camión lleno de marijuana detenido entrando a California y otros chismes de la frontera. Una camioneta oscura y húmeda me lleva, con otros dos, al palacio de justicia federal. Era un día muy caluroso en noviembre. Después de esperar unos minutos fuera de la sala del tribunal, bruscamente nos sacan del edificio y montamos la camioneta. Nos llevan otra vez a la cárcel, nos procesan y nos sueltan. Todo pasa rápidamente, y sin explicación.

Semanas más tarde, estoy cruzando de nuevo a Quebec, donde he estado viviendo durante dos

a lawyer. Endless calls to countless agencies. In the end, a single phone call is enough to “fix the glitch.”

Since then, I’ve become familiar with most of the crossings between Québec and Vermont, New Hampshire, Maine and New York. Certain routes I could drive with my eyes closed. I recognize half the border guards, and some recognize me. I have crossed by foot, bike, car, bus, train and ferry, at all ends of the continent. I’ve seen how quickly things can change, no matter how long you’ve lived here, the second you no longer have a visa.

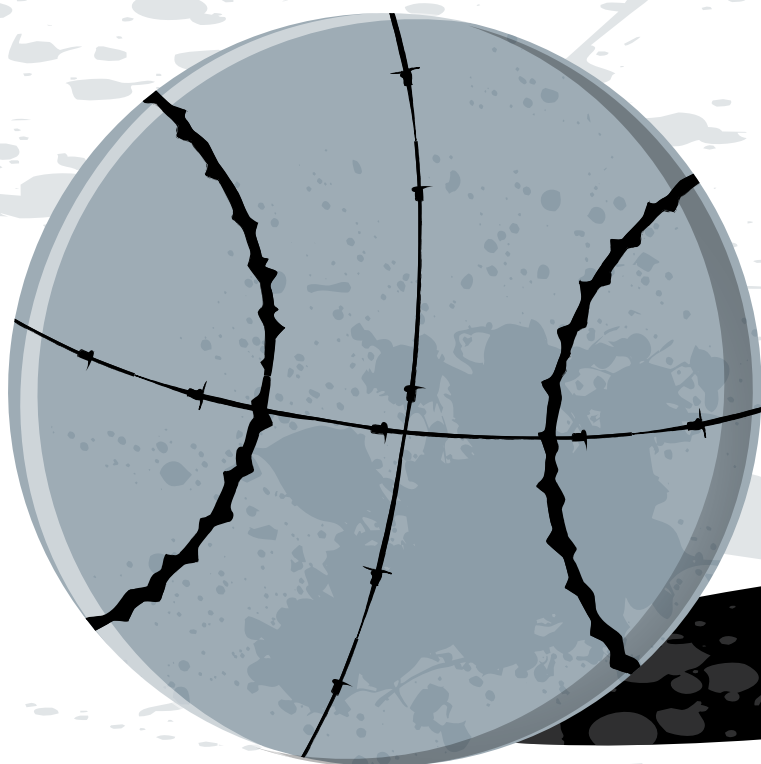
The border may be physically little more than an invisible line, but it succeeds in creating sharp divides — in language, history, relationships and shared experiences. I have often lived two lives, with family and friends in the States, with new friends and projects in Québec. Relationships are strained and dropped. In the end, I have no close friends left in the US.

When my work visa expired, my employer strung me along for months, saying she would sponsor me. It took five or six meetings to realize that she finally wouldn’t do it, but would never come out and say so. Months of frantic thought and research have followed, considering any option to stay here. A few months before, another coworker had returned to Tunisia, expecting to come back with a visa. I don’t know how he fared.

Many friends have left, failing to get status. Others have stayed under the radar, struggling to get by, chasing seasonal labor. Still others stay working jobs they hate, with no other legal options to remain in the country. Living on the edge of legality implies uncertainty and a permanent low-level stress. Making friends, starting projects, and merely relating to one’s environment become conflicted impulses when you don’t know if or when you’ll need to leave. The

impact of anxiety, trauma, depression, and family conflicts are all multiplied by this stress.

There is little that can respond to this situation. The torching of border posts and rioting in detention centres are inspiring actions, yet these are only the tip of an iceberg, symbols of revolt and moments where rage boils over. They resonate with the daily stresses and humiliations that people live, the unique fears that are as numerous as those living with precarious status. [△](#)



años en este tiempo. Preguntado si tengo cargos criminales. No. ¿ realmente? Una mirada dudosa. No. ¿ realmente? Vamos a a verificar. Un minuto más tarde, tengo una hoja impresa en frente de mí. Asalto P.O. Bang. Mi nombre en la parte de arriba de la hoja. Adiós.

Lo que sigue son ocho meses buscando pruebas de cualquier tipo para demostrar que me habían soltado sin cargos. Registros de la cárcel? Insuficiente. Conversaciones largas con un abogado. Llamadas sin fin a a varias agencias. Al final, una simple llamada telefónica es suficiente para “arreglar el fallo.”

Desde entonces, me he familiarizado con la mayoría de los cruces entre Québec y Vermont, New Hampshire, Maine y Nueva York. Algunas rutas que podría conducir con los ojos cerrados. Reconozco la mitad de los guardias en las fronteras, y algunos me reconocen. He cruzado a pie, en bicicleta, en coche, autobús, tren y ferry, en todos los extremos del continente. He visto lo rápido que pueden cambiar las cosas, no importa cuánto

tiempo uno ha vivido aquí, el segundo que ya uno no tiene una visa.

La frontera puede ser, físicamente, poco más de una línea invisible, pero tiene éxito en la creación de división-- en lenguaje, historia, las relaciones y experiencias compartidas. En momentos he vivido dos vidas, con los amigos y la familia en los EU, y con amigos nuevos y con los proyectos en Québec. Las relaciones se tensan y se dejan caer. Al fin, no tengo amigos cercanos que me quedan en los .

Cuando expira mi visa de trabajo, mi jefa me siguió jalando por meses, diciendo que me iba a sponsorar. Tardó cinco o seis reuniones para darme cuenta de que finalmente no lo haría, pero nunca me lo dijo directamente. Meses de pensamiento y investigación frenético han seguido, considerando cualquier posibilidad de quedarme aquí. Unos meses antes, otro compañero de trabajo se abía regreso a Túnez, esperando volver con una visa. No sé cómo le fue.

Muchos de mis amigos se han ido, de no poder conseguir papeles, el estado.

Otros se han quedado por debajo del radar, luchando para salir adelante, buscando mano de obra estacional. Todavía otros se quedan puestos a trabajar trabajo que odian, sin otras opciones legales para permanecer en el país. Vivir al límite de la legalidad implica incertitude y un estrés de bajo nivel permanente. Hacer amigos, iniciar proyectos y en mínimo interactuando con su medio ambiente se ha convertido en impulsos conflictivos cuando uno no sabe si, o cuándo tendrá que irse. El impacto de la ansiedad, el trauma, la depresión, y los conflictos familiares todos se multiplican por este estrés.

Es poco lo que se puede responder a esta situación. La quema de los puestos de seguridad en las fronteras y los disturbios en los centros de detención son acciones inspiradoras, pero estos son sólo la punta de un iceberg, símbolos de la rebelion y de momentos en que hierve la rabia. Resuenan con el estrés diario y las humillaciones que viven las personas, los miedos particulares que son tan numerosos como los que viven con el estado precario. △



**BUILD A
SOLIDARITY CITY**



Brick By Brick: The Detention of Immigrants in Canada

Canada is increasingly using its justice system to detain and exclude migrants. Knowing how, where and why it's happening can help us fight back.

by Tings and Mac of No One Is Illegal, Toronto

"A wall is just a wall and nothing more at all, it can be broken down." --Assata Shakur

*"The conditions over there, and how they treat you over there, you lose all dignity as a human being."
--Arjan Tabaj, former detainee speaking of his time in a provincial jail on immigration hold*

- 289 - number of children in detention at any given time
- 250 - number of migrants in provincial jails
- 290 - number of migrants in federal jails
- 8,838 - number of migrants detained at any time
- 72,000 - number of migrants who have been detained under the Harper/Kenney regime

SOMETHING IS CLEARLY WRONG. EVERYDAY IN CANADA over 8,000 people are detained for lack of status, a regulatory offence (breaking immigration laws is not usually considered a criminal offense). Not only is Canada using jails every day to attack communities of colour and poor communities through the criminal "just-us" system, it is also using them to enforce exclusionary immigration policies; policies based on racism, sexism, homophobia; and an anti-poor, anti-global south agenda.

WHO IS DETAINED?

"I have been detained in Canada for twelve years without charge and without trial, based on information derived by torture." --Mohammad Mahjoub, held on a security certificate for twelve years without charge

A person who is without status or here on a temporary basis (a visitor, student or worker without permanent residency or citizenship) can be detained on an officer's belief (on probable grounds) that they are not going to show up when they are supposed to or not do what their visa or permit requires them to do, or if the officer believes they might pose "a danger to the public" (this can include swearing at the officer when arrested on garbage grounds or even just speaking back).

A permanent resident can be detained on a warrant, sworn out by another immigration officer (criminal warrants require the use of a judge or justice of the peace) if they are possibly inadmissible to Canada (a criminal conviction can make this happen) and again unlikely to appear or a danger to the public.

What this means, is that people who come here, usually either to flee persecution or to make

a better life for themselves, who are not eligible to come here under the “legal” processes, which really are only open to the rich, preferably from Europe or the US, or those who come under the few processes available to poor people of colour, usually granting only temporary status, often under extremely exploitative conditions (such as temporary foreign work permits which can be revoked should the worker be fired, say for unionizing) are constantly in danger of being picked up, based on an officer’s belief, and detained until removed from Canada. Though they have access to a hearing to determine whether their detention is warranted, the release rate at these hearings is about thirteen point seven percent (according to Access to Information and Privacy Request by Carranza LLP).

Not only does Canada accept an tiny number of people fleeing wars, persecution and poverty, we also actively cooperate in creating the conditions people are forced to emigrate from. For example, Toronto is home to fifty percent of the world’s public mining companies, which create environmental destruction, collude with governments to exploit labourers and destroy unions around the world. It is also to be noted that Canada is a ground breaker in terms of colonialism, and that pretty much all of its territory has been stolen, whether by encroachment (slow movement of settlers onto indigenous land), by genocide or by lies.

The refugee exclusion act (Bill C-31, enacted in June and called the “Balanced Refugee Reform

Act” in government doublespeak) was implemented in December, 2012. This allows Immigration Canada to indefinitely detain groups of refugees entering Canada, if the Minister of Immigration suspects they have been smuggled, or if the Minister feels that they cannot be processed quickly enough. Refugees detained in this way are automatically detained for two weeks, and if not released, don’t have another opportunity to be released for six months. Children have the option of staying with their mothers in the detention centre or being placed in foster care.

WHERE ARE THEY HELD?

Over thirty five percent of detainees are held in maximum security provincial prisons, some unable to leave their cells for eighteen hours a day. The numbers held in regular prisons are likely to grow after the implementation of C-31, since there has not been a significant expansion of dedicated Immigration Holding Centres.

There are three dedicated immigration detention centres in Canada: in Toronto, in Laval and in Vancouver. The Kingston centre, specially built for the security certificate detainees, known as “Guantanamo North”, was quietly closed in 2011 after successful organizing shamed the government into doing so.

Though immigrants are depicted as security threats, only a tiny minority are detained on such allegations. In fact, ninety-four percent of refugees are detained for reasons completely unrelated to security or ‘danger to the public’.

Almost five percent of the detainees are children. This number, however, does not include minors “accompanying” their parents.

53,775,000 dollars in public money is spent on immigration detention annually, or 239 dollars per day. Comparatively, a unit of social housing can be provided at less than thirty one dollars per day. The total cost of immigration detention including surveillance and supervision of immigrants, particularly of security certificate detainees and those not in detention is much higher.

Immigration detention centres are run in partnership with private companies like G4S, Garda and Corbel Management Corporation. In Toronto alone, G4S and Corbel were paid nineteen million dollars between 2004 and 2008. Garda has the contract for the Laval Immigration Holding Centre.

Conditions are harsh both in the provincial and federal jails and in the dedicated holding centres. In December 2009, Jan Szamko was locked up at the TIHC after twice missing his deportation date because of medical reasons. Despite issuing complaints about chest pains, the William Osler Health Centre declared him “good to fly” and his

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deportation was scheduled for the next day. His health deteriorated through the night, having defecated all over his body and the room, but instead of providing medical care, he was moved to a provincial jail. Deemed “uncooperative,” Szamko was left lying naked on the floor refusing to eat or drink. He died the next day of heart failure.

Men are separated from families and as noted above, children are often detained. Food is often culturally inappropriate, access to spiritual resources non-existent, access to education, cultural, recreation programs is also non-existent. In Toronto, a free legal clinic is located in the holding centre. However, Canada Border Services Agency (CBSA, or immigration cops) decided that having legal workers visit people in their cells was a bad idea, and suspended this program in 2010. Now detainees need to know the clinic exists and ask for it. In 2009 during the largest workplace raid on migrants in Canadian history, CBSA officers commandeered the legal clinic and used it to convince workers to leave Canada and waive their legal rights.

WHAT CAN WE DO?

We can work to make our communities safe from the CBSA thugs. Creating policies at agencies and organizations to serve people regardless of status is a great step. Making sure that workers at these places know not to allow CBSA officers into the spaces to pick people up is an even better step. Resources for doing this can be found at toronto.nooneisillegal.org.

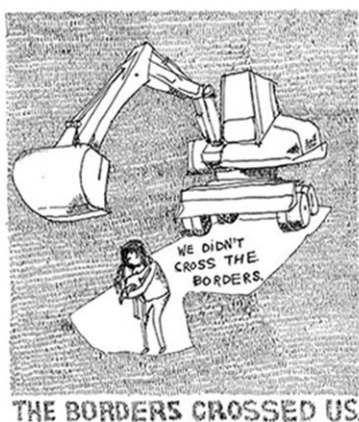
Joining campaigns to make our cities and towns declare themselves solidarity cities – communities with effective and real policies in place to ensure that people can access services without fear and regardless of status is another step.

Building campaigns across this country to support regularization programs (programs allowing people without status to get status, in a fair, open, accessible way), to stop deportations, to stop detentions of migrants is another step.

Building movements to oppose colonialism, capitalism, patriarchy, homophobia, ableism, in solidarity with each other and with migrant justice movements, is another way.

Together, we can take the bricks apart. They have walls, but we have each other. [△](#)

For more information and resources, check out nooneisillegal.org



ABOVE We Didn't Cross The Borders, by Tings Chak



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INTERVIEW WITH JUAN ARIZA

Juan Ariza is a Peruvian farm worker and a survivor of a crash in Southern Ontario which killed ten foreign workers and a transport truck driver. *By Eduardo Huesca*



ENTREVISTA CON JUAN ARIZA

By Eduardo Huesca

THE PEAK

PREVIOUS PAGE A limited-edition portfolio of handmade prints addressing migrant issues from Justseeds & CultureStrike "Untitled" by Pete Yahnke
Railand migrationnow.com

BELOW IS AN INTERVIEW WITH JUAN ARIZA CONDUCTED by Eduardo Huesca on June 3rd, 2013. Juan Ariza came to Canada under a low-skilled temporary foreign workers program in February 3rd, 2012. On February 6th, 2012 in Hampstead, Ontario between Kitchener and Stratford, Juan Ariza and twelve other Peruvian workers driving in a work van home after working on a chicken farm, collided with a transport truck. Ten of the Peruvian workers and the transport truck driver died; Javier Aldo Medina, Juan Ariza and a third man Edgar Sulla-Puma (who has been in a coma in Hamilton since the accident) are the sole survivors of the accident. Juan Ariza is attempting to find a pathway to citizenship in Canada, you can support his struggle to stay by signing his petition at:

<http://chn.ge/12hKz87>

Eduardo – Good afternoon, thank you Juan for letting us speak with you, we really appreciate it. Let's start with a few questions about you. You were born in Peru?

Juan – Good afternoon everyone. Yes, I am Peruvian, from the capital, Lima, from a district called 'Comas', in the northern part of Lima.

E– Did you grow up in that community?

J– Yes, I grew up in the community of Comas.

E– How did you hear about the migrant worker program to come to work in Canada?

J– I heard about the program about ten years ago. I have a nephew who lives in Kitchener (Ontario), who is also a nephew of the owner of the company. Through my nephew I got in touch with the businessman who brings workers to Canada. My nephew helped me get the paperwork I needed and I was

able to come. My nephew is the nephew of Mr. Alex Carrion.

E– Are there many people who come to Canada through this program? Is it common for people to come as migrant workers?

J– Yes, there are a lot of people. There are around twenty or thirty people who are here in Kitchener from Comas, Lima. They have been working here for four or five years.

E– Were they from your community?

J– Some of them, yes. I knew eight or ten people from Peru.

E– We wanted to talk about your experience... after the accident that happened here in Canada, how did your life change?

J– The accident happened three days after arriving in Canada, on the first day of work. It radically changed things. It was a very fast, very tough change. It has limited my ability to work. I cannot work the way I did before, I don't have the same strength. I am now limited in what I can do. I have to find special work to be able to carry on as before. It's difficult now.

E– I've read a bit about the case. An article said that you had injuries in your hand and leg.

J– Yes, my knee, my meniscus [cartilage in the knee] was affected. The nerves in my left leg muscles were severed; I have no feeling there now. The knee is damaged as well as the nerves in my leg.

LA SIGUIENTE ES UNA ENTREVISTA CON JUAN Ariza que fue conducido en el tres de junio 2013 por Eduardo Huesca. Juan Ariza llegó a Canadá bajo de la programa de trabajadores extranjeros temporarios en el tercer de febrero 2012. En el seis de febrero 2012 en Hampstead (una ciudad entre Kitchener y Stratford), Juan Ariza y doce trabajadores peruvianos que estaban manejando después del trabajo colisiono con un camión de transporte. De los trece que estaban en el camión seis murieron. Javier Aldo Medina, Juan Ariza y un tercer hombre Edgar Sulla-Puma (un hombre que han estado en una coma en Hamilton desde el accidente) son los únicos que han sobrevivientes del accidente. Juan Ariza está tratando de crear un camino para ciudadanía en Canadá. Puedes apoyar su lucha de quedarse por la firma de su petición.

Eduardo-Buenas tardes, muchas gracias, Juan, para dejarnos hablar contigo esta tarde..y lo apreciamos mucho de poder hablar contigo..Y entonces queríamos pues empezar con una pregunta acerca de pues conociéndote un poco más. Entonces tú eres de Perú? Naciste en Perú?

Juan— Sí, aló, buenas tardes con todos. Sí, efectivamente, yo soy de Perú, de la capital de Lima, de un distrito llamado Comas, es al norte de Lima..al norte de Lima..norte.. ajá.

E-ok..Y ahí creciste en esa comunidad?
J— Así es, crecí en la ciudad de Comas..ajá.

E-ok..Y cuándo..y cómo escuchaste del programa que vienen a trabajar en Canadá, y cómo escuchaste de ese programa ahí en Perú?

J— El programa lo escuché hace más o menos unos diez años atrás..eeh yo tengo un sobrino que vive en Kitchener que también es sobrino del dueño de la empresaria del Service..Por medio de mi sobrino yo pude contactar al empresario quien trae a Canadá..trae gente a Canadá. Mi sobrino

me facilitó los papeles y así pude venir a Canadá, no?...por medio de mi sobrino, que también es sobrino del dueño del empresario, el sobrino del Sr. Alex Carrión.

E- ok..Y conoces a mucha otra gente..o has escuchado de gente viniendo de Perú debajo del programa también..es algo común..o has escuchado..?

J— eeh Hay mucha gente sí, efectivamente, hay unos 24 o 30 personas que están aquí en Kitchener, en Canadá. Ellos ya tienen 4 o 5 años de antigüedad..Y conozco muchas..también son de Comas, de la ciudad de Lima.

E-Entonces los conocías antes que viniste porque eran de la misma comunidad?

J— Algunos, algunos sí..a algunos los conocía, unos 10 o 8 personas conocía...?..de Perú.

E-Pues sí, nosotros hemos trabado mucho con gente llegando, pero hemos, pues, haciendo más contacto con gente viniendo de México y de Jamaica porque también de ahí están llegando mucha gente para trabajar en las granjas pero ok...entonces ahm queríamos pues..hablar un poco pues de..después de tu accidente qué pasó aquí en Canadá, pues cómo cambió..tu vida aquí? O cómo cambió las cosas?

J— Sí, el accidente pasó a los tres días de haber llegado a Canadá y en el primer día de trabajo, no? Cambió radicalmente.. fue un cambio muy rápido, muy brusco... Después del accidente quedé limitado a trabajar.. No puedo trabajar en lo que hacía antes, no? No tengo la misma fuerza, la misma fuerza suficiente como para trabajar como una persona normal..he quedado limitado, no? Tengo que conseguir un trabajo especial para poder desarrollarme como lo hacía antes, no? de alguna manera.. Es difícil ahora..Me estoy recuperando poco a poco, no?

E-Porque en haber leído un poco del caso..Un artículo dice que tuviste muchas lesiones al cuerpo, de tu mano y también tu pierna?

J— Sí, la rodilla, los meniscos, estoy...está afectada y se me rompieron los nervios de la pierna, del muslo derecho. No tengo sensibilidad, y estoy dañado de la rodilla y se me han roto los nervios de la pierna.

E-Y entonces en el tema de las lesiones y lo que te pasó a tu cuerpo, qué tipo de apoyo has recibido, cómo fue todo el proceso de recibir servicios médicos aquí en Canadá?

J— Yo me estoy quedando en un nursing home donde hay un doctor que nos ve semanalmente, un doctor general.. La atención.. Estoy recibiendo el 85% de mi salario también, y por parte del seguro del WCV? estoy teniendo terapias de rehabilitación tres veces a la semana, y también estoy asistiendo a terapia de psicología. Me están, esté..poco a poco estoy saliendo..no estoy en un 100% todavía..Estoy un 60%, 50%, en mi rehabilitación. Aun me falta más, recuperarme más.

E-ok, entonces, en tu experiencia, los sistemas así como el sistema de salud, servicio de salud, así como el sistema de WCV? de compensación y seguro al trabajador. Te fue...Fue rápido que te ayudaron? o si fue..o pues sí sientes que te apoyaron adecuadamente? porque en...solo para preguntar eso porque sabemos que en trabajar con otras personas que..pues, en que casos no tan extremos como el tuyo pero que se han enfermado en el trabajo, o también se han lesionado en el trabajo, hay veces que estos sistemas no se ponen a trabajar para ellos lo suficientemente rápido, o es difícil para ellos a conectar con estos sistemas para recibir el apoyo, pero sientes que en tu caso fue bien estos sistemas? o..

J— El daño que recibí...El sistema es un poco lento, es muy lento, no? Hay que estar llamando, hay que estar insistiendo

E- Related to the injuries and the bodily harm you suffered, what sort of support did you receive? What was the process of receiving medical attention here in Canada?

J- I am staying at a nursing home where there is a doctor who sees me once a week. It's a general practitioner. As well as the medical care, I am also receiving eighty five percent of my wages through WSIB (Workplace Safety & Insurance Board). I receive rehabilitation therapy three times per week. Also, I'm attending psycho-therapy sessions. Little by little I'm getting better. I'm not at one hundred percent yet; I'm at about fifty to sixty percent of my recovery. There is still more healing I need to do.

E- In your experience of the health care system in Canada and WSIB, did you receive services quickly? Do you feel you were appropriately supported?

J- WSIB is very slow. You have to call continuously, insisting a lot so they see you. The appointments are very long, there isn't the urgency... the service is slow. With me, maybe it was a special case, but until now they haven't attended to people as they should have. I imagine that for others it must be worse. The system lacks speed and responsiveness.

E- Do you feel that the system should be faster to respond?

J- The appointments are very long and you have to wait a long time until they see you. It takes a long time.

E- Related to this, we read that things are complicated with regards to your immigration status here in Canada. For those that don't know how it works for migrant workers, the work permits are often for two years and many times there is the challenge that when they expire, workers need to return to their country... how is your status here in Canada?

J - I came for a two-year work contract. My visa was only for one year; it expired on the 31st of January of this year. We have applied for an extension on Humanitarian and Compassionate Considerations. I've been waiting for that for nearly five months and it's very difficult to wait in this

condition. I was injured after the accident and trying to support my family is very hard in my condition. I don't know how much longer I'll last. My family needs me. My wife had a surgery... in December last year she went in for an operation and she is still very delicate, she's still recovering. It's not easy being in my situation.

E- I read that if you had gone to visit her, the government of Canada may not have allowed you come back to Canada.

J - It was all very confusing. In December I wanted to go back to Peru to be with my son and help my son and wife but I didn't have any guarantee that I'd be able to come back to Canada. I didn't have the assurance that I could receive treatment in my country... and if I didn't have that treatment, how could I help my family? I tried going, but they wouldn't have let me return because my visa expired on January 31st. It all happened very quickly and I did not go to Peru.


E- You didn't go visit?

J- I couldn't go because of the issue with the Visa.

E- I imagine that would be very frustrating, that the immigration system affected such an important trip.

J- If the government of Canada had wanted to help me more, they would have allowed me to have an extension to the visa. I have a slight suspicion that I won't get Canadian residency. I doubt that I will get residency, I think I will have to return to my country. I suspect that. But when I return to my country what can I do? What work can I do? This scares me. I'm afraid of going back to Peru... what will I do, where will I work? There aren't the same programs as there are in Canada.

E- What programs... rehabilitation?

J- Yes, in which a person can work according to their ability. I want to work. I don't want the government to support me. I want to work, to study, to bring my family and not be a burden for anyone. Not for the government. I want to live my potential and work as a regular person. That's what I'm looking for. 

RESOURCES FOR FARM WORKERS

migrantworkerhealth.ca
migrantworkerhealth@gmail.com

Industrial Accident Victims Group
 of Ontario (IAVGO)

Tel: 416.924.6477

Toll-free in Ont: 1.877.230.6311

Toll-free in Canada for Migrant
 Workers: 1.866.521.8535

Justicia For Migrant Workers

j4mw.on@gmail.com

justicia4migrantworkers.org

OHCOW HAMILTON

Tel: 905.549.2552 / 1.800.263.2129

hamilton@ohcow.on.ca

OHCOW WINDSOR

Tel: 519.973.4800 / 1.800.565.3185

windsor@ohcow.on.ca

OHCOW SARNIA

Tel: 519.337.4627

sarnia@ohcow.on.ca

Asian Community AIDS Services
 (ACAS)

Tel: 416.963.4300

Toll-Free Numbers: 1.877.630.2227

or 1.877.644.2227

info@acas.org

Fuerza/Puwersa Guelph

Fuerza.Puwersa@gmail.com

1.866.443.1055

This is the first half of the interview with Juan Ariza. For the full text and to listen to the original interview in Spanish, check out our website.

RECURSOS PARA AGRÍCOLAS TRABAJADORES

Agricultural Workers Alliance (AWA)

Toll Free: 1.877.778.7565

Emergency phone number for farm workers: 416.579.9232

Numbers for the exclusive use of farm workers while in Jamaica and Mexico:

Jamaica: 1.877.344.3472

Mexico: 01.800.681.1591

(AWA) – Simcoe Centre

Tel: 519.426.4056

Simcoe@awa-ata.ca

(AWA) – Virgil

Tel: 905.468.8329

Niagara@awa-ata.ca

(AWA) – Bradford

Tel: 905.775.3837

Bradford@awa-ata.ca

(AWA) – Leamington

Tel: 519.326.8833

Leamington@awa-ata.ca

Migrant Workers Ministry (London)

226.627.0242

ENLACE Community Link (Toronto)

1.866.4ENLACE (1 866.436.5223)

Migrant Workers Alliance For Change (Toronto)

www.migrantworkersalliance.org
coordinator@migrantworkersalliance.org

Esto es la primera mitad de la entrevista con Juan Ariza. Si quieres leer el texto completo o escuchar la entrevista original en Español lo puedes encontrar en nuestro sitio de web.

mucho, no? Para que te puedan atender. Las citas son muy largas. No hay la rapidez que debería de haber, no? Es lento. Y conmigo tal vez fue un caso especial, no? pero no...hasta ahora no se me ha atendido como debiera ser, no? Bueno, imagino que para otras personas debe ser peor, no? Me imagino que para las personas que están trabajando en las farmas o en...para ellos debe ser más lento aun todavía..la ayuda que se les da, no? Les falta más rapidez.

E-Entonces sientes que si estos sistemas en tu caso sería mejor que...pues la rapidez, no? y ese tipo de...ajá..

J- Claro porque la...para atender, las citas son muy largas. Hay que esperar mucho tiempo todavía para una cita, para que te puedan atender. Demora mucho.

E-ok, también en el sentido de...se conecta un poco con eso pero también leímos que las cosas están un poco complicado con tu estatus aquí en Canadá y...para los que no sepan un poco de cómo funciona trabajando debajo de estos programas..los permisos de trabajo muchas veces pues en...creo, en el programa que tú estás trabajando, hay veces que era dos años, verdad? era un límite de dos años el programa y muchas veces ahm pues hay la cuestión de cuándo se vencen...Uno se tiene que regresar, o el permiso ya se acaba y todo eso pero entonces en tu caso cómo está eso, cómo está la situación de tu estatus aquí en Canadá?

J- Bueno la...Yo vine por un contrato de trabajo de dos años..Ya..la visa me dieron solo por un año. Ya venció el 31 de este año venció mi visa..No.. eh.. ahora hemos presentado acá la residencia humanitaria. Estoy en espera de eso. Eh, yo creo que.. Estoy esperando 5 meses, 6 meses. Es muy difícil esperar así en mi situación, estar accidentado e intentar quedarme y tratar de traer a la familia, es difícil en mi situación. O sea hasta cuándo aguantaré? Mi familia me necesita también bastante..

E-en Perú

J- en Perú, sí. Mi esposa está operada hace.. enero.. diciembre del año pasado la operaron, y aun está delicada, también se está recuperando. No es fácil la condición en la que estoy, no?

E-Y pues obviamente podemos imaginar qué es la dificultad después de estar en un país que no conoces muy bien, y tener este accidente y cómo es...y pues no tener..o tener la familia lejos y como estás diciendo que también tu esposa tuvo una operación, entonces, pues sí, se..entonces se pone muy difícil, no? Leímos que cuando ella tuvo su operación, fuiste a visitarla? o leí algo que hubo una complicación que...parecía que si ibas a visitarla, el gobierno de Canadá a lo mejor no te iba a regresar...dejar re-entrar a Canadá?

J- Sí, era todo muy confuso porque yo en diciembre intenté ir a Perú a ver...a estar con mi hijo, a ayudar a mi hijo, a ver a mi esposa..pero no tenía la garantía de volver, no podía regresar a Canadá, y tampoco no tenía la seguridad de que me iban a dar la rehabilitación en mi país, y si no tenía eso, cómo podía yo a ayudar a mi familia, no? Intenté ir pero no pude, no me dejaban regresar, no podía regresar porque el 31 de enero vencía mi visa..Era muy rápido todo. No fui a Perú.

E-Ah no fuiste entonces a visitar

J- No pude ir, no, por el motivo de la visa, no pude ir.

E-Pues sí eso se me hace que sería muy frustrante de ..no? De..un momento muy importante y pues los trámites de inmigración..y el sistema de inmigración pues afectando un viaje tan importante, no?

J- Claro, yo...si el gobierno dice que iba a ayudarme, ayudarme más, me hubiesen facilitado con la visa, no? Yo tengo la ligera sospecha de que de repente no voy a lograr la residencia, ahora estoy dudando mucho, no? De repente no la voy a lograr, no voy a poderla obtener y me voy a tener que regresar a mi país..que tengo esa ligera sospecha y al regresar a mi país qué voy a hacer? En qué voy a trabajar? Eso me asusta, me da mucho miedo. Tengo miedo de querer volver a Perú, pero qué voy a hacer en Perú, digo, así?..En qué voy a trabajar?...No hay programas como hay acá en Canadá. △

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CITY**

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Sanctuary Comes To City Hall: Moving Migrant Justice In Toronto

After a lengthy campaign, Toronto became the first city in Canada to implement a "Don't Ask Don't Tell" policy, which allows for those without status to access health care without fear. This article speaks to the process of creating a Sanctuary City. by Hannah Peck and Nate Prier

ON FEBRUARY 21ST, 2013, TORONTO'S City Council voted to officially make Toronto the first "Sanctuary City" in Canada, ensuring that all municipal services are accessible to all residents, regardless of immigration status. Several formal sanctuary cities already exist in the United States, and various types of similar campaigns exist in Canada. The idea behind a Solidarity/Sanctuary City is to make it impossible for immigration enforcement to do their job. In Toronto, this has meant pushing for an Access Without Fear (AWF) policy in different institutions, meaning that undocumented people (people without full immigration status) should be able to access public services (such as healthcare, food banks, shelters, education, etc.) without the fear of detention and deportation. One way to bring about AWF is with a Don't Ask, Don't Tell (DADT) policy: don't ask people about their immigration status, and if you find out that someone lacks status, don't share that information with immigration enforcement. By getting service providers to agree to a DADT policy, as well as by refusing to cooperate with enforcement officers, cities can become safer and more accessible for undocumented people.

However, a Solidarity City is about more than just getting state institutions to write down a policy: these ideas acknowledge that the power to create radical change already exists in our neighbourhoods and in our communities. In spite of a racist federal government that continues to hack away at migrant rights, we can build strong communities where undocumented people are welcome and safe from immigration enforcement. This is about stopping State violence from the ground up — empowering people to resist immigration enforcement on a daily basis through non-cooperation with the Canadian Border Services Agency (CBSA) and a creative re-imagining of what our communities can look like. This is one facet of decolonizing the space we live in. We can make Status for All a reality in spite of a government that tries to divide us. We can create spaces where immigration enforcement is thwarted in its attempts to take people away from their families, friends, and homes. A Solidarity City is about refusing to go along with the State's ideas of which of us are expendable, undeserving, and "illegal." We know that no one is expendable, no one is undeserving of dignity and respect, and no one is illegal.

This dynamic has been a substantial thrust of social movements across Turtle Island that are demanding migrant justice, and has been the main form the struggle has taken in Toronto until this municipal policy option suddenly became available.

While we refuse to acknowledge the authority of the Canadian government in deciding who can stay and who must go, we question the legitimacy of Canada altogether. Canada is a colonial State built upon the genocide of First Nations and the dispossession of their lands, and it is in violation of many of its own treaties. The colonial crimes of the Canadian State start at its foundation, and thus we cannot fight for migrant justice without also working in solidarity with Indigenous communities with the people on whose land we have settled, and have a responsibility to support in decolonizing. With a Solidarity City campaign we can create material change in the lives of undocumented people, while also weakening the government's control over our lives and communities. But it is not enough to stop there; we must continue to support struggles for Indigenous sovereignty and push back against colonial power until we are all free.

HISTORY

No One Is Illegal (NOII) Toronto's work towards a Solidarity City started in 2004, a year after women-identified organizers entered a Toronto immigration detention centre as art therapists. During months of discussion and art-making with the women in detention, NOII Toronto members learned that many undocumented people were picked up by CBSA officers while trying to access public services. This happened either because CBSA officers were allowed into these service provision spaces, or because service providers reported undocumented people to CBSA when the person's lack of immigration status was discovered. Because of this, many undocumented people experienced fear of even attempting to access public services. This experience led NOII Toronto organizers to look at ways of preventing deportations by focusing on the locations where people are apprehended by the CBSA.

The following year, a Don't Ask, Don't Tell policy proposal was brought to city hall with the support of twenty three community groups. City hall's disappointing response to the proposal was to create a poster claiming that city services were already accessible to undocumented people. This same year, a sixteen year old undocumented woman from Grenada went to the police to report an assault against her; of pursuing her report, the police turned the woman over to immigration enforcement. This sparked a community mobilization to demand a DADT policy from the Toronto Police Services Board, and in 2006, the Board issued a partial Don't Ask policy. This policy ostensibly discourages police officers from asking about someone's immigration status, but does not stop officers from reporting people to the CBSA, or from participating in direct immigration enforcement support themselves.

Also in 2006, the Education Not Deportation campaign was formed when two undocumented students, Kimberley and Gerald Lizanno-Sossa were arrested at their school. The campaign demanded that the Toronto District School Board (TDSB) implement a DADT policy. After a year of campaigning by students, teachers, various unions, and community groups, the TDSB became the first school board in Canada to pass a DADT policy. In spite

of this historic victory, subsequent reports have found that undocumented youth still face barriers to accessing education such as being denied enrolment, being asked for documentation, and a general fear of being reported to immigration enforcement by school staff.

The next Solidarity City campaign to launch was Shelter | Sanctuary | Status (SSS), which started in 2008 in response to the impending deportation of Isabel Garcia. Garcia is a survivor of domestic violence whose application for refugee status was denied. Unable to access women's shelters for fear of being apprehended by immigration enforcement, Garcia instead went underground when she lost her status. The need for anti-violence against women spaces to be accessible to undocumented people became clear; countless women and trans folk fleeing violence could benefit from these spaces, but the risk of deportation that came with accessing them was too great. Made up of many allied organizations and activists, the SSS campaign eventually pressured GTA Region CBSA officers to agree to not enter, wait outside of, or call any anti-violence against women spaces in Toronto. Only a few months after this important win, the CBSA issued a national policy ordering its officers to enter and wait outside anti-violence against women spaces, as well as to follow survivors of violence on their way to and from these spaces.

NOII - Toronto's final Solidarity City campaign formed in 2009 when an undocumented woman was arrested by immigration enforcement in a Toronto-area food bank. Food For All had as its goal to make food banks and community gardens accessible places for undocumented people.

In October of 2012, the Community Development and Recreation Committee (CDRC) of Toronto received the results of a report entitled "Undocumented Workers in Toronto," which cited Access Without Fear reports from previous years. The report confirmed that undocumented people still face several barriers when trying to access municipal services. A few months after the release of this report, after talking to some allied councillors, the Solidarity City Network (SCN) formed, composed of various organizations and community groups. Through community

mobilization, pressure on councillors, and deputations, the network encouraged the CDRC to push a full Access Without Fear motion at City Hall. The recommendations in the motion called for a full review of AWF in city services to ensure its full implementation; a comprehensive training program for city staff and an aggressive public education campaign; a complaints process to report violations of AWF; and a demand that the City push the province to develop AWF, as well as push the federal government to start a regularization campaign granting status to undocumented people in Toronto.

The SCN mobilized community support for the municipal AWF motion, encouraging residents to write, call, and meet with their councillors, which resulted in the overwhelming majority vote on February 21st. This was an exciting victory, but as with all AWF gains, it requires training, education, and monitoring in order for real change to occur in how city services are accessed and provided. This policy is the result of years of intense community struggles, and it is only as strong as communities make it.

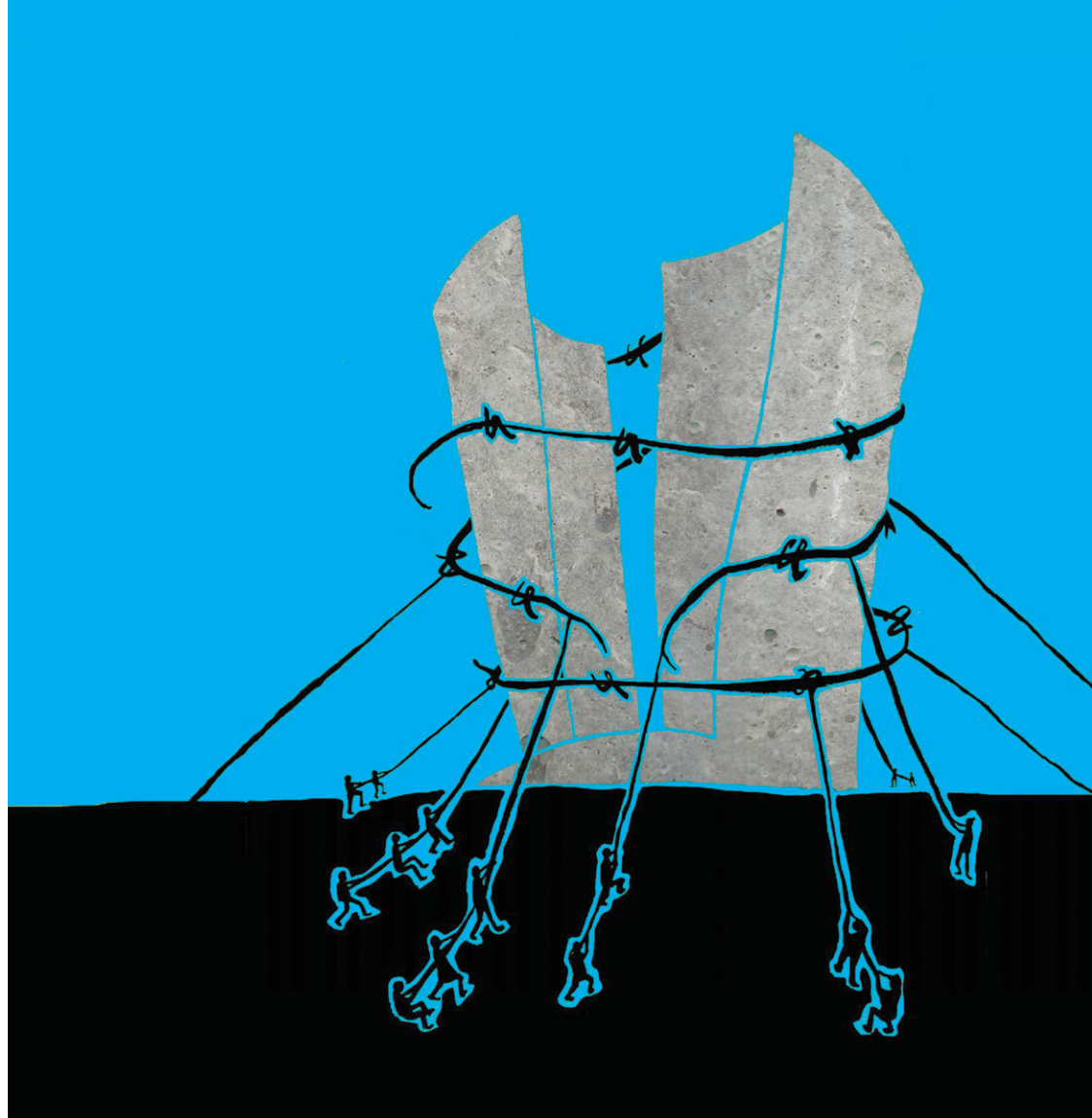
MOVING FORWARD

Chris Brillinger, the city staffer with this portfolio, has been tasked by the City with creating a report on how to implement AWF, including a complaints process, training for service providers, and public education. The report is due in September of 2013, and members of the SCN are working both independently and alongside counsellors to make sure the report reflects the needs and realities of undocumented residents.

Besides ensuring meaningful implementation of an AWF policy in Toronto, the SCN is also working to expand AWF beyond the city. By networking with migrant justice organizers in other cities and provinces, the hope is to broaden the AWF campaign to include multiple cities, laying the groundwork for a provincial campaign. The long-term goal remains a national campaign for the full regularization of all undocumented people — nothing less than status for all.

Going forward, it is important to look at how similar sanctuary campaigns have played out in other cities so we can anticipate ways that the radical messages

RIGHT “Build a Solidarity City” series.
Art by Tings Chak,
NOII - Toronto



and long-term goals of this work have been absorbed – some might say co-opted -- by local governments. Almost forty American cities have passed sanctuary policies and, in most cases, these victories have been used by municipal governments to re-brand the city as ‘immigrant-friendly’ and to promote the city’s brand in global real-estate and tourism markets. While embracing a sanctuary city or ‘pro-immigrant’ ideology, municipal governments (see Chicago or Dayton’s plans) have found ways to transform anti-capitalist, anti-colonial momentum into selling ‘diversity’. This isn’t to say that we shouldn’t push for Sanctuary City legislation in our cities, but rather that we have to see it as one part of a much broader struggle. Municipal governments, locked into vicious neoliberal pressures to compete with other cities, are not going to challenge the underlying causes of migration and displacement (war, ongoing colonization, environmental degradation, capitalist

crisis, etc). Nor are they going to build the solidarity necessary to seriously challenge the colonial State we still live in.

Even though sanctuary policies are crucial building blocks in the struggle for migrant justice, we have to keep in mind the anti-capitalist and anti-colonial tone of the movements that helped give birth to Toronto’s AWF policy. We have to forefront crucial questions such as, “what does it mean to fight for access to services when so many services are being cut?” We cannot lose sight of the broader context in which this type of migrant struggle developed—massive public service cuts and austerity measures, huge income disparities along gender and racial lines, the mass expansion of different security control apparatuses, and a growing precariousness in work and life—which helped spawn the anti-colonial culture of many groups in the city. We also have to be very careful to not allow municipal sanctuary policies to become

our end goal, but rather a milestone on a path to an altogether different world that we are trying to build.

Many other sanctuary campaigns have also had as one of their key demands to create a lobby to expand Access Without Fear to higher jurisdictions and to demand city-oriented regularization programs for undocumented people. It is certainly useful to leverage the position of city governments to expand sanctuary-type policies, and we should aggressively hold the City of Toronto to its promise to do both of these things. But we can be sure that as we expand AWF to other cities and push it higher up the rungs, the federal government will crack down on our efforts. We must be ready to withstand this inevitable attack, and this comes through building a Solidarity City where no one is illegal and where we are decolonizing together. Δ



Stop at the White Line: Reflections on Racial Privilege at the Border

A white person with a criminal record's experience trying to cross the US border and their observations of racism and use of intimidation against people of colour. by Anonymous

THE LOBBY DOOR CLOSED BEHIND US, shutting out the noise of the busy border crossing. A group of border guards at the far end of the room stopped talking and watched us warily as we waited for the elevator to come and take us to the second floor. We would later learn that those guards are there to prevent anyone who has not been cleared upstairs from leaving the building.

The elevator was massive and spacious, built of sleek metal and glass. It glided smoothly, silently, and slowly

through its dark channel.

"This thing is probably worth more than my whole school," my friend commented. She is a teacher and generously used one of her days off to accompany me in trying to cross the American border. I had not tried crossing into the United States since acquiring an unusual criminal conviction, and I didn't want to brave it alone. No matter how the day went, we would at least be able to laugh about it together afterwards.

The elevator doors opened on a

waiting room where about fifteen people were scattered on rows of metal benches. The wall opposite the elevators had two doors leading into a room where border guards sat in numbered stalls to conduct the screenings. A television in one corner was tuned to CNN, a smiling framed portrait of a smiling Barack Obama presided over us. A crackly intercom called the Sanchez family through the door, pronouncing their name "San Cheese, the sand cheese family". The door to the next room buzzed to let them through – the

door was built with the same heavy frame and electronic locks that are used in prisons.

My friend and I sat around uncomfortably on the benches, eating a few snacks and reading the helpful pamphlets about shopping destinations on the other side of the bridge. Before long my name came over the intercom, and I advanced to the next room.

I would spend about five hours in the screening room that day. The guards didn't seem sure why they couldn't let me through. I spent most of the time sitting in a chair, watching them do their jobs and occasionally being called over to one of the booths to be asked a few questions. They had me confirm my name, date of birth, and where I was going at least four times and then spent well over two hours trying to find the travel information of my mother, who had gone south a few days before. The closest they came to attempting to interrogate me was asking, "You're not still involved in the stuff you went to jail for, right?" and asking me some basic factual questions after I encouraged them to read mainstream news accounts of my conviction so they could decide if it would make me inadmissible. At one point, there were four border agents hanging around trying to figure this out together.

Their system didn't have any details about why I was a problem; all it had was that I was flagged for additional scrutiny in some way -- none of the guards I dealt with seemed to have access to any intelligence about me. I was personally treated with politeness and the guards actually seemed to go to quite a bit of effort to get me into the country. They seemed regretful to deny me in the end, and they gave me lots of useful information about how to

try again. Because of their help, I was actually able to get into the United States a few weeks later.

For the huge majority of people being screened, their situations were more straightforward, and the treatment they received far more cal-
lous. I was without exception the only English-speaking white person subjected to enhanced screening during those five hours, and I was one of the only people to be treated with decency. The length of my stay there was not because of the thoroughness of the screening or because of the extremely racist and unprofessional macho culture that dominated there, but because of the guards' inability to use their computer system effectively.

The guards would often mock peoples' accents by forcing them to repeat themselves over and over, shouting, "What? What? I can't understand you!" When people were put off by this behaviour, by going quiet or looking away, the guards would say something like, "Why can't you look me in the eye? How do you expect me to let you in if you're acting this suspicious?" What was especially revolting was their treatment of a Cuban man. He and his family, separated by the prison-like doors, had been there for five hours before my friend and I arrived, and they were still there when we left. He only spoke Spanish and although the screening room had a Spanish-speaking guard on duty, the non-Spanish speaking guards decided to all work together to conduct parts of his screening in their broken, half-remembered high school Spanish. Meanwhile, the man's two year old son kept running to the shatterproof glass wall in tears, pounding on it and trying to pull the door open to bring back his dad, who had no choice but to force a smile as the guards laughed.

At one point, one of the guards hid a small device that made fart noises on his desk before a group of women wearing head-scarves came in, and he used it to distract them while they tried to answer his questions. Meanwhile, the other guards had cornered the only female staff member I saw there and were challenging her to say exactly when unwanted touching became sexual assault: "What if someone just brushes your boobs while they're walking by? Or what if they happened to have their hand up at the time?"

One particular guard got a lot of pleasure from ordering around the people he was screening.

"Why can't you look me in the eye? How do you expect me to let you in if you're acting this suspicious?"

The standard which determines admissibility into the United States based on whether or not a criminal record conviction can be categorized as a "Crime of Moral Turpitude", commonly referred to as "CMT". A CMT conviction is understood as an indication of a "skewed moral compass". All drug convictions, including possession of small amounts of marijuana, are CMTs, as are all fraud, sexual assault convictions and aggravated assault convictions.

At one point, he called in a Chinese family and began firing questions at them almost as soon as they walked in the door. If someone other than the person he was speaking to started to answer, he would cut them off: "I'm not talking to you yet!" And if any of the family members tried to speak to each other, which they needed to do because only two of the five spoke fluent English, he would again interrupt: "Stop that! You can't go just talking to each other in whatever language in front of me! How can I know what you're saying? If she hasn't bothered to learn English, then she can't be that committed to staying in Canada, can she?" Then he began ordering them to step forward or step back -- "No, step closer, and you, move back a step" -- and when one member of the family challenged him on how he was treating them, he made each of them apologize to him in turn before the screening could continue.

Often, there would be long stretches of time during which I was the only person in the screening room, in spite of a build-up of people waiting beyond the glass wall. During these times, the ineffective guard working on my case would be confusedly poking at his keyboard. The other guards would spend chunks of time sharing LULCATZ memes or answering online quizzes. Some of them would glance towards me after cracking a joke, like, "Am I right or what?" but I just looked at the floor. All it would have taken from me would have been a smile or a comment to be brought into their circle.

I knew that borders are fundamentally racist and colonial constructs, but I was still surprised to see people getting treated like this just because they wanted to go shopping in Buffalo. I had been flagged in their computer system, but everyone else was there simply because a white guy downstairs had thought that they seemed foreign, like they might not be invested in their home country.

I floated through the screening process on a cloud of whiteness: I was believed, treated politely, had my questions answered, and was given useful

follow-up options. All it took from me was to maintain smiling complicity, the simple undoubting confidence that the system was going to work for me. If the guards' racist behaviour had been less over the top, or if they had been less incompetent and kept me less long, I probably could have gone through the screening process without noticing it.


The racism there was shocking to me because it was so overt. I know that Canadian bureaucracies are racist, but it's perhaps the quieter, more institutional kind that shuts people off from options that I access without thinking. As a white person, it's not something I'm used to having shoved in my face. I'm not used to a bunch of men in uniform inviting me to snicker as they say they're going to "call in the Japs."

I did get into the United States, although it took me a second trip; however, many people who passed through the screening room that day were turned away for no better reason than the guards didn't believe their stories.

What does it mean for me, as a white person, to access that kind of privilege? What does it mean that it takes such intense abuse of authority before I notice racism?

When I finally got out of the screening room, passport in hand, my friend was talking with the Cuban woman who had finally managed to get one of her kids to sleep. In the elevator, my friend tells me how, even though the mum and the kids haven't eaten since the early morning, she kept turning down the offers of food from the guards.

"She refused to even touch the yogurt they were holding out to her. She didn't want to talk to them at all."

In the lobby, one of the guards there checked our passports and the slips of paper the screeners upstairs gave us, then smiled. Just a simple smile made me wonder, in what other circumstances am I accessing white privilege without realizing it? I felt slimy after spending an afternoon kissing ass and getting special treatment. How can I engage with my racial and citizenship privilege instead of just cashing in on it? 

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La Salud de los Trabajadores Migrantes

Por Radio "Migrant Matters"

EL 9 DE AGOSTO DE 2009, SE ORGANIZÓ una Feria de Salud para Trabajadores Migrantes en Virgil, Ontario. MaryCarl Guiao de el show de radio "Migrant Matters" o "Asuntos Migratorios", se encontró con Liz, una mujer que trabaja debajo del Programa de Trabajadores Agrícolas Temporales en Ontario, y entre los talleres y actividades de la feria Liz habló sobre sus preocupaciones y problemas asociadas con su salud trabajando aquí en Canada. Aquí está la transcripción de la entrevista. Para escuchar la entrevista en Inglés y en español puede visitar la pagina de web, "radio4all.net", y buscando debajo de "Migrant Matters" o "health and safety" o pude visitar la pagina "guelphpeak.org".

Por favor preséntate a nuestros oyentes

Mi nombre es Liz, estoy trabajando en una farma, en donde nos dedicamos al empaque del durazno, de la ciruela.

En relación a su experiencia, ¿qué barreras enfrentan los trabajadores migrantes para mantener una buena salud?

Tenemos reglas muy establecidas como por ejemplo, las idas al baño. Están muy restringidas, solamente podemos ir al baño en los break, no antes del break. Osea, solo que sea muy muy necesario. Necesitas buscar al traductor y que le diga al patrón si te autoriza o no te autoriza. De lo contrario, pues, te sancionan. Te sancionan si tu tomas el tiempo de trabajo. Tiempo para ir al baño, te pueden quitar hasta una hora de sueldo.

¿cuáles son las afecciones a la salud más comunes que padecen los trabajadores migrantes?

Infecciones renales, infecciones en las vías urinarias, infecciones estomacales. Porque cuando nos toca salir al campo, a veces tenemos que comer con las manos sucias. Infecciones en las vías respiratorias. Por lo

regular infecciones, pero yo pienso que se da más el problema de los riñones por poco agua que tenemos porque como no hay muchos permisos para ir al baño, tenemos que nosotros restringir el agua.

¿qué pasos concretos puede tomar el gobierno canadiense para solucionar estos problemas?

Concientizar a los patrones, algunas brigadas de salud que los concientizaron un poquito a ellos y pues concientizarlos de que somos humanos y que las necesidades fisiológicas son esas. No podemos controlar esas necesidades y pues que sean más conscientes al respecto.

¿Qué acciones concretas pueden tomar los ciudadanos canadienses para que se solucionen estos problemas?

Yo pienso primeramente que los canadienses, o los patrones están conscientes de que las comunidades mexicanas estamos aquí. Pero yo creo que ellos nos ven como

parte necesaria de una función. Cuando nosotros cumplimos con esa función, somos regresados porque ya no somos utilizados. Yo me siento así, solamente utilizada, parte de algo que ellos necesitan. Entonces por lo consiguiente necesitamos que se nos sea tratado con un poco más de humanidad, de dignidad, y que se reconozca que nosotros somos parte importante de aquí en Canadá, porque yo pienso que muy poca gente canadiense sería capaz de entrarle al campo, a la mano, nosotros somos la mano obrera del campo. Ellos están conscientes de que estamos, pero no se concientizan de nuestra situación ni de nuestras necesidades. Somos tratados con muy poco sentido humanitario.

¿cómo relacionaría usted la marginalización de los trabajadores migrantes en Canadá con la salud?

Porque para nosotros es importante esa parte, la salud. Todas estamos, o la mayoría estamos ocupados en cuidar la salud porque de eso depende que nosotros sigamos viviendo en Canadá. Quizás aquí en Canadá no sepan que nosotros antes de ser enviados, en México nos hacen estudios de sangre, de orina, placas de tórax. A nosotras las mujeres se nos revisan los senos, que no vengamos con infecciones, con problemas de salud por que aquí, enfermos no servimos. Entonces, ellos si deberían concientizarse de que para nosotros es primordial conservar la salud. Primero porque tenemos necesidad de seguir viniendo acá a Canadá. A ellos les conviene porque tendrían personas sanas al 100 por ciento trabajando para ellos, y a nosotros no se nos cerrarían las puertas en México, porque si estamos enfermos ya no podemos venir. Y yo pienso que sería también, que por ejemplo las autoridades mexicanas visitarán y verían en qué condiciones trabajamos, para que esta situación mejorara. Al final de cuentas es un beneficio común.

En base a su conocimiento y experiencia de lo que sucede y como se trata a los trabajadores migrantes acá en Canadá, ¿cuáles son los problemas a los que se enfrentan los trabajadores migrantes?

Yo pienso que problemas por resolver para nosotros hay mucho porque nosotros aquí estamos entre comillas de manera legal, pero somos de alguna manera discriminados, porque no tenemos los beneficios de un canadiense. Nosotros también pagamos taxes lo consecuente es que pues también deberíamos tener los mismos derechos, pero desgraciadamente no es así, porque caemos en lo mismo. No sé, es un problema.

¿qué talleres asistió, les fueron de utilidad y que les pareció?

No me sé bien el título de los talleres, pero estaban hablando de uno parece que lo que es la problemática de visitar al médico cuando hay necesidad tanto con los patrones, la relación con los patrones a veces es lo complicado porque hay patrones que por ejemplo no quisieran que nos enfermamos porque a veces, a lo mejor, por el clima, por las condiciones inadecuadas del trabajo o porque a veces uno se enferma, no lo busca uno, se enferma uno, y a veces uno por temor a no volver a ser pedido. Yo en mi caso, como vengo por primera vez, a veces las compañeras no y si es que te quejas, ya no te vuelven a pedir, y yo pienso y digo no pos mejor me las aguanto y si puedo me tomo un analgésico me lo tomo y si con eso se me quita y soluciono, perfecto. Pues sí, algo así acudí yo a un taller, de que es un derecho que debo de conocer, que hay gente que nos apoya, de hecho una institución que no recuerdo el nombre, que debe de estar enterado de cuando uno está enfermo para que nos respalden, tanto médicamente como económicamente. Algo así y eso me interesó mucho, porque pensaba yo estás enferma, ya te podrás ir porque...recibí otro taller que se llamaba "un sitio de respeto en el trabajo". Fue muy interesante porque tuvimos que debatir entre, ay y también se habló acerca del acoso sexual, y eso fue buenísimo porque eso aquí las mujeres lo padecemos muchos y fue buenísimo porque tomamos opiniones de los hombres y de nosotras las mujeres y tenemos una visión muy diferente. Pero yo aprendí que por lo menos hay personas que si nosotras sufrieramos algún tipo de acoso sexual por parte de los patrones o de alguna persona, hay personas que nos pueden apoyar y que la mejor forma de hacerlo es hacernos escuchar no hacernos callar. Y eso es muy bueno. Yo, cada vez que vengo, aprendo muchísimo, y pues, eso es todo. △

*For an English translation of this article:
Health and Safety of Migrant Workers
Ignored by Migrant Matters Radio go to
www.guelphpeak.org*

BUILD A SOLIDARITY CITY



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WITH ALL PEOPLES**



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#NoFreeTrade #DefendTheLand

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Six ways immigrants are targeted by the national-security state

Though many immigrants are detained or deported on 'human smuggling', 'danger to public safety' and 'flight risk' pretexts, the national security paradigm continues to be effectively used against immigrants, particularly against Muslim men of colour. Here are some of the key methods. by Syed Hussan

SECURITY CERTIFICATES

ONLY APPLICABLE TO NON-CITIZENS, SECURITY certificates allow the government to hold immigrants indefinitely without ever charging them. The lowest standard of evidence can be used to deport someone, and the detainee never sees and cannot defend him/herself against "secret" allegations that are heard by the judge in closed door sessions. Immense community mobilization led to security certificates being deemed unconstitutional in 2007 - but they were then brought back in 2008. Two men, Adil Charkaoui and Hassan Almrei had their certificates revoked but three others Muhammad Mahjoub, Mohammad Harkat and Mahmoud Jaballah are still fighting for their freedom.

See www.supportmahjoub.org, www.justiceforjaballah.com and www.justiceforharkat.com

PROJECT DISRUPTION

Canadian intelligence agencies (Canadian Security Intelligence Service - CSIS), federal police (Royal Canadian Mounted Police - RCMP), Immigration (Citizenship and Immigration Canada - CIC) and Immigration enforcement (Canadian Border Services Agency - CBSA) use grey zone powers to force immigrants out of the country. These can include delays in the processing of visa and status applications for years, leaving people with little choice but to leave. Law enforcement agencies have additionally

made threats to revoke immigration papers or to create problems for families overseas. Many immigrants have been placed on no-fly lists without reason and subsequently blacklisted. This targeting has mostly been directed towards Muslim immigrants, many of whom stay quiet due to lack of community support.

See www.peoplescommission.org/en/csis/

OUTSOURCING TORTURE

Security agencies, when targeting a particular immigrant who is travelling abroad, will sometimes choose to leak information to a foreign government. Such information, substantiated or not, can result in detention and torture at the hands of a

government that does not recognize the same rights that would be otherwise be respected in Canada. The case of Maher Arar is familiar to many. Another lesser known example is Abousfian Abdelrazik. Abousfian Abdelrazik was arrested on the recommendation of CSIS while on a visit to Sudan. Despite never being formally charged, he was beaten and threatened during two periods of detention and was interrogated by CSIS officials. After his sixth year in exile the government was finally forced by the Federal Court to allow Abdelrazik to return to Canada. On the 27th of June 2009, Abdelrazik returned to Montreal and was reunited with his family at last. Mr. Abdelrazik is currently seeking reparations and apologies for his treatment.

See www.peoplescommission.org/en/abdelrazik

TERRORIZING IMMIGRANTS

New anti-terrorism provisions allow for secret hearings where individuals can be compelled to appear and testify without charge. Like the Grand Jury process in the United States, those refusing to do so can be jailed for up to a year. Individuals can also be 'preventively' detained for up to three days and placed on bail conditions without being charged. Terrorism is defined as having a "political, religious or ideological motive" and includes "knowingly participating in or contributing to, directly or indirectly, any activity of a terrorist group for the purpose of enhancing the ability of any terrorist group to facilitate or carry out a terrorist activity". The motive clause, and the loose definitions of 'participate' and 'contribute' allow for broad interpretations of this law. Two informants Mubin Sheikh and Shaher Elsohemy were paid approximately four and a half million dollars to infiltrate a group of eighteen Muslim youth in 2005-2006. Eventually, eleven were convicted while the other seven had their charges dropped. Anti-Terrorism laws have almost exclusively been used against immigrants.

SECTION 86

This section of the Immigration and Refugee Protection Act allows the Minister of Immigration to apply for secret hearings and use secret evidence in a wide variety of instances before the Immigration and

Refugee Board. Invoking national security, immigrants can be deemed inadmissible to Canada without any clear information. Sogi Singh was deported from Canada to India in July of 2006 as a suspected threat to "national security" on the basis of secret information under this act. Sogi Singh was beaten on arrival and subsequently imprisoned. Charges brought against him were eventually dropped for lack of evidence. The UN Committee against Torture ruled that Canada had violated the Convention against Torture in deporting Mr Singh.

EXTRADITION LAWS

Canada's extradition act allows for the deportation of persons accused of criminal offences in other countries based on a written note from a foreign prosecutor "certifying" in a single sentence that the evidence summarized in an attached "record of the case" is available and (in the opinion of the prosecutor) sufficient to warrant prosecution under the laws of the requesting country. This extremely low standard of proof allows for years of detention or removal of immigrants without much recourse. Dr. Hassan Diab is a Canadian citizen and sociology professor who lives in Ottawa. Dr. Diab was accused by the French authorities of involvement in a 1980 bombing near a synagogue on the Rue Copernic in Paris on the basis of secret intelligence and deeply flawed handwriting analysis. Dr. Diab stringently denies these allegations, and has never been charged in Canada, yet is still fighting his removal from Canada.

See www.justiceforhassandiab.org for more. △

(IM)MIGRANT JUSTICE & ANTI-COLONIAL POLITICAL ORGANISATIONS

No One Is Illegal Toronto

www.toronto.nooneisillegal.org
nooneisillegal@risuep.net
facebook.com/NoOnesIllegalNetwork

Sanctuary/Solidarity City Network

toronto.nooneisillegal.org
[sanctuarycity](https://sanctuarycity.org)
Nathan.prier@gmail.com

No One Is Illegal London

nooneisillegal.london@gmail.com

Justicia For Migrant Workers

www.justicia4migrantworkers.org
j4mw.on@gmail.com

Two Row Society

tworowsociety.com
tworowsociety@gmail.com

International League of Peoples Struggles

ilps-canada.ca ilps.canada@gmail.com

Basics News Service

Basicsnews.ca
basicscanada@gmail.com

Anakabayan Toronto

anakbayantoronto.wordpress.com
 647.239.6553 / 416.707.6111
anakbayan.toronto@gmail.com

Fuerza/Puwersa(Guelph)

Fuerza.Puwersa@gmail.com
 1.866.443.1055

Migrant Workers Alliance For Change (Toronto)

www.migrantworkersalliance.org
coordinator@migrantworkersalliance.org

Migrante

migrante.ca
 1.800.559.8092
migrantecanada@gmail.com



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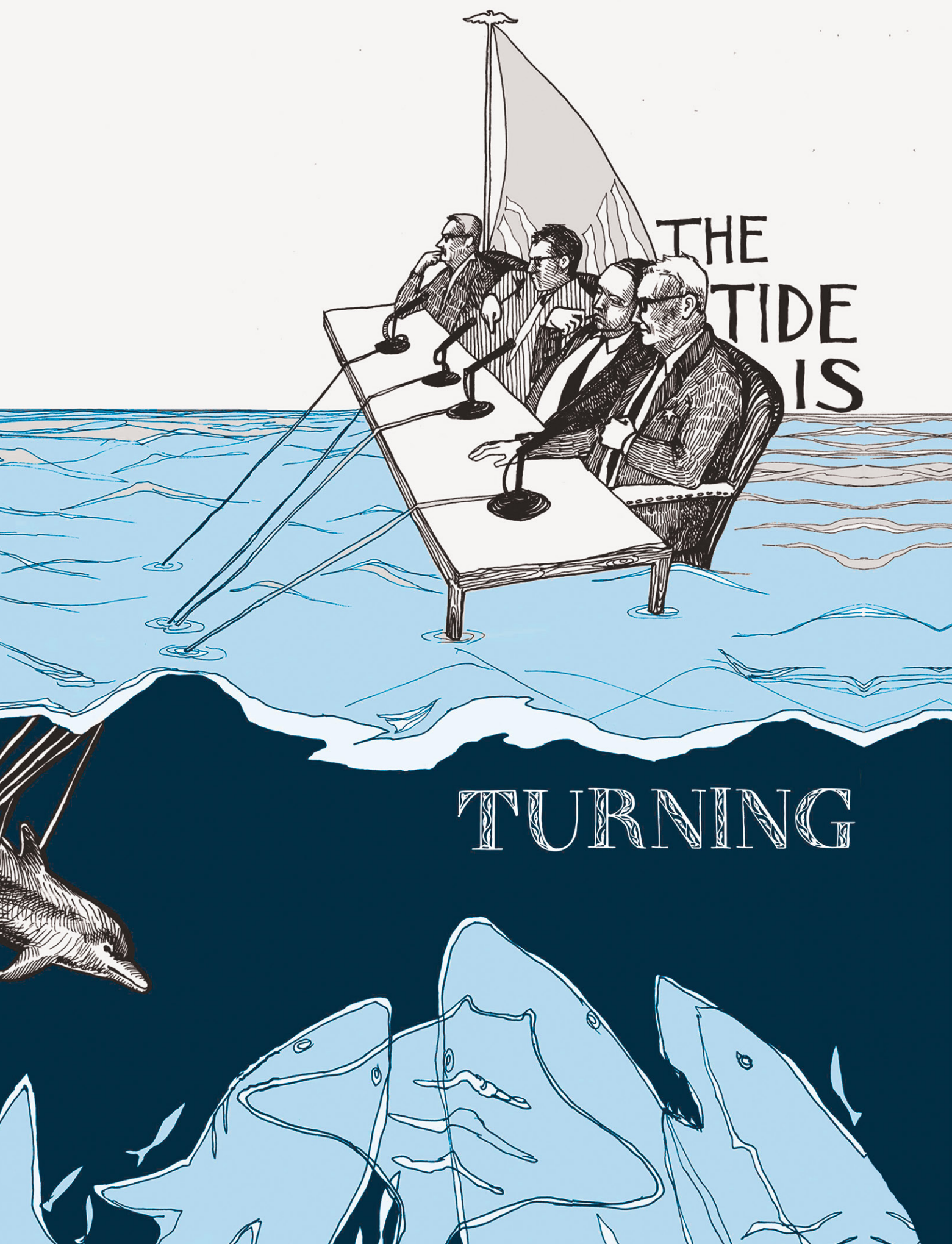
EL "GRAN JURADO" VIENE A CANADÁ

Nuevos cambios legislativos van a crear la posibilidad del estado de sobrepasar el debido proceso judicial.

by Annie Inferno

THE "GRAND JURY" COMES TO CANADA

Recent legislative changes will make it possible for the state to bypass judicial due process, mimicking the grand jury process. *by Annie Inferno*



THE
TIDE IS

TURNING

PREVIOUS PAGE “The Tide is Turing” by Corina Dross. This poster was originally created in solidarity with Grand Jury Resisters and is currently featured in a fundraiser exhibit. neveraloneart.org

ON APRIL 25TH, 2013 THE CONSERVATIVE Government under Stephen Harper passed Bill S-7, the Combating Terrorism Act. Bill S-7 amends the Criminal Code to allow investigative hearings for the purposes of gathering information about a terrorism offence. Much like Grand Juries in the United States, Bill S-7 preempts “due process” of law by enabling police and courts to arrest, detain and jail people without laying charges, and has been similarly criticized as being a convenient tool of state repression and intimidation. Bill S-7 is nearly identical to Senate Bill S-3, which did not reach the final vote in the House of Commons, but was intended to re-instate the anti-terror provisions following September 11th, 2001, which had expired under a sunset clause in 2007. While the catchphrase “terrorism” is thrown around so often these days, it is defined in the Criminal Code as an act that is committed for a political, ideological or religious purpose, objective or cause. It is framed as an intentional act that seeks to intimidate or risk public safety, or that causes serious disruption to essential services. This includes property damage in the public or private realm.

Bill S-7 can be used to target friends, acquaintances, comrades, loved ones and individuals in social networks who are suspected of holding sensitive information on alleged radical activities that may or may not have yet taken place. It makes it an indictable offense to knowingly harbor or conceal a person who has carried out an alleged terrorist activity, or to harbor a person for the purpose of enabling them to facilitate or carry out such an act.

After receiving approval by the Governor General, a police officer can apply to a judge for an order to subpoena an individual whom they believe holds information relating to a terrorism investigation. If the judge believes that there are reasonable grounds to back up the allegation made and that the individual could have direct, material information about the offence or the individual responsible, then they can sign off on the order. This order may be executed anywhere in Canada and will require the person to attend a hearing for examination and remain in attendance until excused by the judge. It also orders the person to bring anything in their possession that is deemed relevant and produce it to the judge.

The Bill states that if you are listed on the order and you do not appear before a court when


subpoenaed,¹ a warrant will be made out for your arrest. It also states that you can legally be arrested without a warrant and detained for longer than twenty four hours if the judge believes that you will not show up for court or that your arrest is necessary for the protection of the public, or to prevent a terrorist activity.

Bill S-7 also states that the judge may commit the person listed on the order to a prison term not exceeding twelve months if the person fails, or refuses to enter into a recognizance.²

This is very problematic because it legally justifies pre-emptive arrests, warrantless detention and punitive measures for refusing to testify. However, at the root, this is a state tactic of intimidation meant to fragment, terrorize and isolate individuals.

Investigative hearings are aimed at creating divisions amongst peers and forcing interrogations of people with the threat of a lengthy prison sentence. In many cases, the state relies on the testimony of others to build cases and submit evidence.

There are cases in the United States where people have refused to participate in American style Grand Juries, when subpoenaed to provide information. These people have bravely been imprisoned because they believe it is wrong to give information to the courts about their peers. I find it important to note here, that the best defense against these forms of proceedings and fishing expeditions into our lives is to remember that if nobody talks, everybody walks.

Grand Juries in the United States are criticized for being an infringement on civil liberties. In Canada, we have already seen Security Certificates and other forms of “preventative detention”, or detention without charge being used as a weapon against (im)migrant and political communities. These new laws will further the powers of the Canadian state to continue to attack these communities. On February 28th, Washington Grand Jury resisters Matt Duran and Katherine “Kteeo” Olejnik were released from the Sea-Tac Federal Detention Center where they spent five months in prison for refusing to testify before a Seattle Grand Jury investigating the actions that took place in Seattle on May 1st, 2012. On April 11th, 2013 a third resister, Maddy Pfeiffer was released from prison. In Canada, regardless of status and political identity, we have a responsibility to defend against these fascist Canadian laws, put in place to terrorize communities and networks. We can build a stronger resistance to these laws by supporting those who are currently being attacked by ongoing preventative detention measures, and those who will be ensnared in the criminal system in the near future because of these laws. 

¹ Subpoena is an order to show up for a hearing issued by a judge.

² recognizance is a conditional obligation undertaken by a person before a court, often as a condition of release.

For more information on how to get involved look up:

supportmahjoub.org	homesnotbombs.blogspot.ca
justiceforharkat.com/news.php	grandjuryresistance.org
justiceforjaballah.org	saynothing.noblogs.org
homesnotbombs.ca/secrettrials.htm	

EL 25 DE ABRIL DE 2013, EL GOBIERNO CONSERVADOR del primer ministro Stephen Harper aprobó la Ley S-7 contra el Terrorismo. Esta nueva ley modifica el Código Penal para permitir audiencias de investigación con el propósito de recopilar información relacionada a delitos de terrorismo. Al Igual que el Gran Jurado en los Estados Unidos, la ley S-7 se antepone al proceso penal actual y permite que la policía y tribunales arresten, detengan y encarcelen a personas sin que se les hayan presentado cargos. La ley S-7 también ha sido criticada por ser una herramienta de represión e intimidación del estado.

La ley S-7 es casi idéntica a la ley S-3 del senado que no fue aprobada en la Cámara de los Comunes y la cual pretendía reintegrar las disposiciones antiterroristas establecidas después del 11 de Septiembre, 2011, y que había expirado en virtud de una cláusula de extinción en 2007. El eslogan “terrorismo” usado tan a menudo estos días, se define en el Código Penal como actos cometidos con un objetivo o causa política, ideológica o religiosa. Se enmarca como un acto intencional de intimidación o riesgo a la seguridad pública, o que cause perturbaciones graves a los servicios esenciales. Esto incluye daños a la propiedad pública o privada.

La ley S-7 se puede utilizar en contra de amigos, conocidos, compañeros, seres queridos y redes sociales de personas que se sospecha puedan tener información confidencial sobre presuntas actividades radicales que puedan o no haber sucedido. Esta ley establece como un delito grave el albergar o esconder alguna persona que haya llevado a cabo una presunta actividad terrorista, o de permitirle el facilitar o llevar a cabo dicho acto.

Después de recibir la aprobación del Gobernador General, un oficial de policía puede solicitar a un juez una orden para citar a una persona que se sospeche pueda tener información relacionada a una investigación sobre terrorismo. Si el juez considera que hay motivos suficientes para respaldar la alegación y que el individuo puede tener información directa del delito o de la persona responsable, entonces se puede firmar la orden. Esta orden puede ser ejecutada en cualquier lugar en Canadá y requiere que la persona asista a una audiencia y permanezca hasta que lo requiera el juez. También ordena a la persona presentar al juez cualquier material en su posesión que se estime pertinente.


El proyecto de ley establece que si su nombre aparece en la orden y usted no se presenta en la corte cuando se le cita, una orden de arresto se producirá en contra de usted. Asimismo, se establece que legalmente puede ser arrestado sin orden judicial y detenido durante más de 24 horas,

si el juez cree que no se presentó a la corte o que su detención es necesaria para la protección de la población, o para evitar una actividad terrorista.

La ley S-7 también establece que el juez puede arrestar la persona por un periodo de hasta doce meses si la persona se niega a colaborar con la corte. Esto es algo muy problemático ya que justifica legalmente detenciones preventivas, detenciones sin orden judicial y medidas de castigo por negarse a testificar. Sin embargo, en realidad, esto es una táctica de intimidación del estado destinado a fragmentar, aterrorizar y aislar a individuos.

Las audiencias de investigación están encaminadas a crear divisiones entre compañeros y obligan la interrogación de personas con la amenaza de una larga condena. En muchos casos, el estado depende del testimonio de otras personas para construir casos y presentar pruebas.

Existen casos en los Estados Unidos, donde las personas se han negado a participar en el estilo americano del Gran Jurado, cuando se les ha citado para proporcionar información. Estas personas han aceptado con valentía el ser encarcelados porque creen que es un error el proveer información de sus compañeros a la corte. Me parece importante señalar aquí que la mejor defensa contra estas formas de procedimientos y expedientes de pesca en nuestra vida es recordar que si nadie habla, todos caminan.

Los Gran Jurados en los Estados Unidos han sido criticados por ser una violación de las libertades civiles. En Canadá, ya hemos empezado a ver certificados de seguridad y otras formas de “detención preventiva”, o el uso de detenciones sin cargos como un arma en contra de migrantes y comunidades políticas. Estas nuevas leyes incrementan el poder del estado canadiense para continuar atacando a estas comunidades. El 28 de febrero, Matt Duran y Katherine “Kteeo” Olejnik fueron liberados del centro de detención de Sea-Tac Federal donde pasaron cinco meses en prisión por negarse a testificar ante un Gran Jurado en Seattle que investigaba las acciones que sucedieron en Seattle el 1 de mayo de 2012. El 11 de abril 2013, una tercera persona que resistió, Maddy Pfeiffer, fue puesta en libertad. En Canadá, sin importar el estatus o identidad política, tenemos la responsabilidad de defendernos de las leyes canadienses fascistas, puestas en marcha para aterrorizar a las comunidades y redes sociales. Nosotros podemos construir una resistencia más fuerte en contra de estas leyes apoyando a los que están siendo atacados por medio de medidas de detención preventivas, y aquellos que van a ser atrapados en el sistema penal en un futuro debido a estas leyes. 



LEFT PINAY at the summer 2012 Montreal festival, Pista Sa Nasyon. Pista Sa Nasyon is an annual celebration organized by The Filipino Association of Montreal and Suburbs, the oldest and biggest Filipino association in Montreal.

Power to the PINAY : Tapping Into The Work of Montreal-based Filipino Women's Organization PINAY

by Migrant Matters Radio

MaryCarl Guiao: Welcome. You are listening to Migrant Matters Radio, broadcasting from Guelph, Ontario on May 31st, 2013. I have with me on the phone an organizer with the all-volunteer-run, Montreal-based organization PINAY, and she has worked as a live-in caregiver for almost six years. She is in Montreal right now, and today we're taking a look at how the Live-in Caregiver Program (LCP) issues are in a period of great change and how the current status of the LCP pertains to people working in Quebec. The LCP is one of Canada's temporary foreign worker programs. Thank you for taking the time to talk.

PINAY: Thank you for inviting me to your program to share, and of course, to educate the people about the situations of the LCP here in Quebec.

MC: Yes, talk about PINAY.

P: PINAY is a Filipino women's organization based in Montreal. We are a grassroots organization that has 250 members, however most are inactive because everybody is busy working. We help and provide services to live-in caregivers and the Filipino community in general. We also have legal clinics that offer live-in caregivers, or any Filipino, in terms of family, immigration, employer relationships, things like that. So, we organize and educate Filipinos here in Montreal. The organization was founded in 1991, so it has been twenty one years of working and helping the Filipino community.

MC: Can you talk a bit about your involvement with PINAY and how you got involved?

P: So, I am one of the members and one of the officers of PINAY organization. I got involved with this organization because a friend invited me to attend one of their meetings and I really liked how they organized the relationships amongst the members. From there I started to become an active member of PINAY because I like to really fight for the rights of the people. So, I think that is why I got involved with this women's organization.

MC: Oh that's so great. Can you give a brief description of the LCP?

P: So, I worked under this LCP for almost six years. The Live-In Caregiver Program is a program under the Temporary [Foreign] Worker Program that is offered by Canada to hire people from other countries to fill up the labour that is needed here in Canada. It is basically like a domestic worker, but this LCP is the only program under the Temporary [Foreign] Worker Program that we can apply for permanent residency when we complete the twenty four month requirement of being a live-in caregiver. In this program we have to "live-in" with our employer in their house, which is also where we work. In the contract there are responsibilities or tasks that we have to do. We get the permit with a specific employer and in order for the caregiver to apply for permanent residency, the caregiver has to complete twenty four

months out of four years, and then apply for permanent residency and wait. So, in this program you're also able to receive an open permit that allows you to work outside the LCP if you want while waiting for your permanent residency.

MC: Let's talk about the recent changes that have been happening with the LCP and their impacts on the lives of people working as live-in caregivers.

P: In 2010 there were some changes that immigration implemented. For example, before we had to complete twenty four months out of three years, now we have to complete two years out of four years. It means there is a lot of time for the caregivers to complete the twenty four months. I think that is the reason why they changed it. But in our point of view it makes us more vulnerable for more abuse.

That is one change the second one is the Juana Tejada law, that is named after the Filipino caregiver Juana Tejada. Before, we had two medical exams. We use to have the first medical exam before coming to Canada during the application process in the Philippines and the second during the processing for permanent residency, but that one they eliminated because of Juana Tejada's case.

The third change is that the employer has to pay all the travel costs [to come to Canada] of a caregiver. Before, the caregiver paid all the travel costs when the caregiver comes to Canada. All these laws



LEFT Teaming up with grassroots all-volunteer-run organizations Bayan Canada and Migrante Canada, PINAY members perform street theatre during a sunny day in 2011.



RIGHT Last year marked PINAY's two decades of struggles and triumphs. Members and supporters gathered for a feast on the occasion.

are not really well implemented. There is a law, but there is no mechanism to implement them. So, that's why even [though] the government says there are a lot of changes, it doesn't favour in our part. It gives us more hardship and it makes us more vulnerable to abuses. We're getting more isolated because of the kind of job and positions that we have.

MC: You talked about how some of the changes included allowing live-in caregivers to apply for permanent residency after 3900 work hours rather than two years of work...

P: Yeah, before out of three years but now it's more; it's longer. This included also some overtime. But no employers will pay overtime and no employers will declare to

pay that overtime. If someone gets paid, I don't think they will include it or declare this overtime. In this law that covers the overtime that you do with your employer, you have to have the evidence that you get paid overtime. So that one, it doesn't work.

MC: Yeah, because that was the reason why they made that change, it was to ensure overtime was appropriately recognized.

P: Yeah, because one of the problems in this program is in the contract you have 8 eight hours work [per day, and if they are lucky, are allowed a day or two off each week], but in reality it is a 24 [hours a day] 7 [days a week] kind of job.

MC: Would you mind sharing the story

of Juana Tejada and her work because we mentioned it earlier?

To read the rest of this interview and hear about Juana Tejada's struggles after she was denied permanent residency, check out the full interview and audio online at guelphpeak.org



Support And Respect For Migrant Workers

THIS POSTER WAS MADE BY "C," WHO WAS BORN IN JAMAICA AND came to Canada to work as an offshore farm worker. He is now living in Canada but no longer working as a farm worker. With a small amount of support from a friend in Fuerza/ Puwersa, C designed this poster to share some of his thoughts. This introduction and description was also written by C with a few adaptations.

The poster identifies that many people are thinking and talking about the food they eat. That right now it seems to be popular for many people to be concerned that their food is healthy, organic, and grown locally in their community. The poster asks whether these people stop to think about who plants, picks and packs their vegetables and fruits; about the conditions that agricultural workers work in and the conditions of their housing. The poster asks whether people think or care about the concerns of

those working as farm workers, and if they are interested in hearing what farm workers think about these programs.

If people are concerned about the quality of their food, are they also willing to hear the concerns of the migrant workers who produce it?

The poster says that people should care.

C notes that when he was working as a farm worker, he did not feel as though his work was appreciated, or that 'Canadians' considered the hard work he and his coworkers did and the bullshit they put up with sometimes.

C thinks that farm workers should be respected and thanked for their hard work and contributions.

This poster will be put up in various communities in Ontario where people who work as migrant or offshore agricultural workers are living and working. [△](#)



The Teeth

This story is an excerpt from the upcoming collection of short stories *The Invisibles*; which offers insight into one person's experience as a migrant farm worker in Canada. By Raul Gatica

HAVE YOU HEARD ABOUT *COLA LOCA*, THE strongest glue advertised on TV? They put a little drop inside a helmet and it holds a person to a metal beam. Because of *Cola Loca*, I met Susanito at the Pitt Meadows, BC Superstore. It was Friday, shopping day, and he was at the store with all of his fellow workers, about fifteen Mexicans who were in their fifth season working in the same farm. They said they had some time.

—When we have a Canadian driver, he gives us two hours, that way he can charge us more for the ride into town to shop.

They listened with curiosity, because I was speaking in Spanish more than anything else. As soon as I drew out the first jokes about *el sancho*¹, they remembered the chants of the old *merolicos*² that visit their towns:

Behind the line, for here I come to work. Not too close to the bag because you might wake up the seven-headed snake. Yes, I was one of those who sells potions, ointments or miraculous plants to treat anything from AIDS to lovesickness or whatever witchery gets in your way.

They came and made a circle around me while I knitted words of multiple colours against injustice. I explained they wouldn't need to have this remedy spread, swallowed, injected or taken as suppository. Out of my vest's endless pockets I took out forms and magic documents: they contained the advantages offered in

Canada. At the end they took flyers and some forms. I got patted pitifully and they were gone. Susano stayed.

—I wanted to see if you could help me get *Cola Loca*, the glue. You know what *Cola Loca* is, don't you?

—*Cola Loca*? I answered. Yes, sure. I was surprised he wasn't interested in anything we offered. We looked everywhere for the adhesive and couldn't find it. Only until then it occurred to me to ask him.

—Hey, *tigrazo*³, if you don't mind my asking, what do you want *Cola Loca* for? I may be able to get something like that next week in case I don't find the one you want.

He looked at me for a long while. He turned his head to make sure nobody was listening. Mistrustful, he let it out.

—If you don't laugh, I will tell you.

—I'd never do that, I encouraged him.

—You know, we work in a nursery. On Wednesday it rained and the road was slippery but the boss had an urgent order of Christmas trees. Carrying those *arbolillos*⁴ I tripped and didn't have time to put out my hands. My mouth got smashed against the car's platform. I got my lip blown open and broke a tooth. Because he is nice, the boss gave me the chance to go to wash my mouth and come back to work.

While he was narrating, Susano pulled out a wallet from his pants' pocket, and pulled out a damaged piece of ivory wrapped in paper.

—It didn't hurt at the beginning but after, when I drank cold or hot things the pain was *cabrón*⁵. I asked to go to the dentist but the boss said that it would be too expensive and my insurance did not cover those costs.

—What? But the accident was at work. The employer should have had it reported.

—Yes, but if I say that, I lose the *chamba*⁶. Besides I don't want to cause any *broncas*⁷ to my boss. So I thought of *Cola Loca* for fixing the tooth. To see if it's true it glues anything, no?

A bitter pain like a nail pierced my liver. I cursed my forms and even my magician's vest. Susano, embarrassed by my silence, fixed his baseball cap and as if apologizing, smiled with his injured teeth.

I didn't know what to say to him, except perhaps that his tooth had defeated the flyers, laws and forms. There I knew the magic medicine against his hardship, and that of all the temporary migrant workers, was somewhere else. Δ

¹*el sancho*: slang for an adulterer

²*merolicos*: someone who travels from town to town selling remedies

³*tigrazo*: informal way of addressing someone you don't know

⁴*arbolillos*: seedlings

⁵*cabrón*: a bastard

⁶*chamba*: slang for poorly paid work

⁷*bronca*: a fight, dispute, or protest



El Diente

Este relato es un extracto de una colección de relatos cortos. Los Invisibles nos ofrecen una idea en la experiencia de un trabajador granjero migrante en Canadá. por Raul Gatica

¿Usted conoce la *Cola Loca*, ese pegamento fortísimo que anuncian en la tele? Ponen una gotita en un casco y sostiene a una persona. Por la *Cola Loca* conocí a Susano en el Superstore de Pitt Meadows, BC. Era viernes, día de compras y él salía de la tienda con todos sus compañeros, unos quince mexicanos que llevaban cinco temporadas en la misma granja. Dijeron estar con tiempo.

—Cuando tenemos chófer canadiense nos da dos horas. Así él cobra más.

Me escucharon con curiosidad porque hablaba español más que por otra cosa. Cuando desenvainé las primeras bromas sobre el sancho, recordaron el pregón de los viejos merolicos que visitan sus pueblos.

—Atrás de la línea que voy a trabajar. Sin acercarse a la bolsa porque pueden despertar a la víbora de siete cabezas.

Si, yo era uno de esos vende póci-mas, ungüentos o plantas milagrosas para curar desde el sida hasta el mal de amores o cuanta brujería se pusiera enfrente.

Hicieron rueda en torno mío mientras hilvanaba palabras de todos los colores contra la injusticia. Les expliqué que no tenían que untársela, bebérsela, inyectársela o ponérsela como supositorio.

De las infinitas bolsas de mi chaleco saqué formularios y documentos mágicos: contenían las ventajas ofrecidas en Canadá. Al final tomaron los volantes

y algunos formatos. Me dieron una palmadita de lástima y se fueron. Susano se quedó.

—Quería preguntarle si puede ayudarme a conseguir el pegamento *Cola Loca*. ¿Usted conoce la *Cola Loca*, verdad?

¿*Cola Loca*? Sí, claro. Respondí sorprendido que no se interesara por nada de lo que ofrecíamos.

Buscamos el adhesivo por todos lados sin encontrarlo. Sólo hasta entonces se me ocurrió preguntar.

—Oye tigrazo, si no es indiscreción ¿para que quieres *Cola Loca*? A lo mejor la próxima semana puedo traerte algo parecido, en caso no encuentre el que quieres.

Me miró largamente. Giró la cabeza para asegurarse que nadie escuchaba. Desconfiando soltó.

—Si no se ríe se lo cuento.

—Como crees, lo animé a confesarse.

—Usted sabe, nosotros trabajamos en una nursery. El miércoles llovió y estaba resbaloso el camino, pero el patrón tenía un pedido urgente de árboles de Navidad. Acarreando esos arbolillos me tropecé y no tuve tiempo de meter las manos. Estrellé la boca en la tarima del carro. Se me reventó el labio y uno de mis dientes se quebró. Como el patrón es buena gente me dio chance de ir a lavarme la boca y seguir trabajando.

Mientras seguía su relato, Susano sacó de la bolsa del pantalón su cartera y dentro de ella, enrollado en papel, un

pedazo de marfil estropeado.

—Al principio no me dolía pero después, al tomar cosas frías o calientes el dolor era cabrón. Pedí ir al dentista pero el patrón dijo que era muy caro y que mi seguro no cubría esos gastos.

—¿Cómo? Pero si fue accidente de trabajo. El empleador debió reportarlo.

—Si, pero si digo eso pierdo la chamba. Además no quiero causarle broncas a mi patrón. Entonces pensé en la *Cola Loca* para reparar el diente. ¿A ver si es cierto que pega todo, no?

Un amargo pesar se clavó en mi hígado. Maldije mis formatos y hasta el chaleco de mago. Susano, apenado por mi silencio, se acomodó la gorra de béisbol y como disculpándose sonrió con su dentadura accidentada.

Le dije no se que cosa para despedirnos y esconderle que su diente había derrotado los volantes, leyes y formularios. Ahí supe que la medicina mágica contra su desgracia y la de todos y todas los trabajadores temporales inmigrantes estaba en otro lado. ▲



Kwentong Bayan illustrates the strength of Filipino caregivers to Canada

Migrant Matters Radio interviews the creators of the project Kwentong Bayan, a project to raise awareness and insight into the lives of Filipinos who work under Canada's Live-in Caregiver Program. by Migrant Matters Radio

TO HELP SPREAD A HEIGHTENED AWARENESS of and insight into the experiences of Filipinas who work under Canada's Live-in Caregiver Program (one of the streams of Canada's Temporary Foreign Worker Program) Toronto-based artists Althea Balmes and Jo SiMalaya Alcampo are seeking to make an independent, community-engaged comic book in collaboration with these workers. MaryCarl Guiiao had a conversation with them this past May to learn more about their project "Kwentong Bayan: Labour of Love." Below is a partial transcript of the interview (listen to the full interview at radio4all.net using search terms "Migrant Matters Radio" or "Kwentong Bayan" or at www.guelphpeak.org).

MaryCarl: I wanna start off by asking you both, what does "Kwentong Bayan" mean, and what has brought you to take on this project together?

Jo: In the Filipino language, "Kwentong

Bayan"... we're taking it as a literal translation of "community stories". And the focus of our comic book, which is in collaboration with Filipina migrant workers in the Live-in Caregiver Program (LCP), are real life stories of community, friendship, love and struggle, and women's empowerment. So these are stories that you don't usually see in the media or read in academic papers or research studies. There has been a lot of coverage of the LCP focussing on the abuses and exploitative nature of being forced to live-in with your employer and be a temporary worker, and so there's a lot of that. We are trying to acknowledge that, of course, because we believe in social change, but also we're trying to focus on the stories that you don't see, which are how the caregivers here in Toronto find a way through the difficulties, and that is what we're focussing on in [the book] "Kwentong Bayan: Labour of Love." We also found another translation of "Kwentong Bayan"; maybe your listeners

have heard of different ones –they can always let us know.

Althea: There's different definitions. One that I heard was when I was talking to another Filipina, and when we asked her what it means, she said it was kind of like when people come together, like in a corner, and kind of gossip about their lives and catch up with what's going on, that's what it means. Kind of like that atmosphere of updating each other.

MaryCarl: There may be some folks out there who don't know what the LCP is; can you both briefly talk about it?

Jo: Sure. The Live-in Caregiver Program [LCP] is federally funded by the Government of Canada through two programs: Human Resources and Skills Development Canada - that does the labour part - and the immigration part is CIC [Citizenship and Immigration Canada]. The program is a way to hire workers for jobs here that Canadians



RIGHT Some of the women who work as caregivers that Althea and Jo collaborated with for the grass-roots arts project, Kwentong Bayan by Artruo Herrera

don't want to do because of the long hours and the live-in requirement, and a lot of times low pay. Basically live-in caregivers are under a temporary foreign worker program. They come to Canada to provide specialized care to children, elderly people, people with disabilities. In order to complete the

LCP and be eligible to apply for an open work permit, which allows you to work outside of your private employer's home and also apply for permanent residency in Canada, you have up to four years from the date you arrive in Canada to complete twenty-four months of full time employment. It's a very problematic program; there's been a lot of documented systemic abuse, and live-in caregivers are extremely vulnerable to exploitation because of their temporary status. Basically, their status in Canada is tied to their employer. So if you lose your employer or if you're fired, you lose not only your home because you're required to live-in with your employer, but you also lose your status in Canada. And that's been the contested aspect of

the LCP that most advocacy groups have advocated to change for the past thirty years to get rid of the live-in requirement and also get rid of the temporary status, to allow workers to come

as landed immigrants with other valued workers here in Canada.

MaryCarl: In the creating of this comic book, how are the people working under the LCP involved?

The way that we collaborate with the caregivers is that we talk with them, so that they share their experiences, ...things that happen outside of their jobs that allow them to create a support system.

that they share their experiences, their stories, and then they tell us what their everyday experiences are, things that happen outside of their jobs that allow them to create a support system. That's one of the

Althea: In the beginning of our process we were actually attending this workshop through an organization called Caregiver Connections, an education and support organization. This organization was created by women who are still in the caregiver program and some of the workshops that they do are advocacy and training, and all these different things that help caregivers. So as artists we ended up doing our research or our fieldwork attending these workshops, and learning about the issues they have to deal with in their everyday jobs, and also what are their rights and things that they're missing...it's through these workshops that they find out how to support themselves.

The way that we collaborate with the caregivers is that we talk with them, so

LEFT That's Althea presenting at the 2013 Mayworks Festival in Toronto, Ontario by Artruo Herrera



ways that we've been able to collaborate with them. They tell their stories, and we just write it down.

MaryCarl: *How many caregivers have contributed stories to this process at this point?*

Jo: It's hard to say an exact number. [Out of those] participating in this advocacy and leadership program, we had about twenty-five people. We do different visits to different community groups. We did a session with the Thornhill live-in caregiver group. And then we also went to International Women's Day. We met, I feel like, every live-in caregiver advocacy group here in Toronto, and that's representative of hundreds of folks' volunteer time. It's hard to say; it's a community and I think a community is fluid. People come and be part of the community when they need it, and then sometimes step away, and then come back. So it's hard to give an exact number but we've talked to a lot of people, but we're just at the beginning stage.

We began officially in December, 2012 when we started formulating our ideas. We've been participating in this leaderships program since January; we're finishing up in June. This project we're devoting a year and a half to in order to create a relationship with the community and understand how to listen to stories and how the caregivers wish to be represented through story. So our comic book is a work in progress. We just did an event for the Mayworks festival where we shared some of our first comic book sketches, and some of the women we've been working with presented there.

Kwentong Bayan means "community stories", and it's an ongoing process; we are open to speak to anyone who is connected to the LCP, whether directly or indirectly. So thanks for inviting us on your show; we're trying to reach as many folks as possible.

MaryCarl: *You mention there's lots of advocacy groups that you both have met up with to be able to learn more stories from people working under the LCP. What kind of advocacy work is going on in the GTA? I assume that's where you're doing most of the collecting of stories?*

Althea: There's actually one group that we've been keeping in touch with, they've expressed interest, and they're called Caregiver Action Center. So they do similar work as CCSC, where a lot of their workshops are helping caregivers with their legal work, and also through tax workshops, and all that stuff.

And there's also one study that's going on with GABRIELA1, in collaboration with Ryerson University and York University, and it's called the GATES2, and they're also doing some work on education and figuring out what is missing in the studies. That's also in collaboration with caregivers. So those are the ones that I know of, but I'm sure there are other ones.

Jo: We've also just started discussion; it's not fully developed yet. There's this group, Poverty and Employment Precarity in Southern Ontario— it's a research alliance of academic researchers, city workers, -and they've approached us, as cultural workers, as comic book artists, to talk about our cultural response to the LCP as precarious employment. So that's the beginning of the discussion that we're having with folks involved in that project here in Toronto.

MaryCarl: *Jo, you mentioned that the comic book will be released in the Fall - did you say [of] next year?*

Jo: Ya, so we're taking a year and a half, so this comic book will be finished May 2014. And then we hope to publish by Fall 2014. So, that's the project. So, writing and illustrating and working



LEFT That's Jo's 'artist talk' face as the room previews some of the new artwork for Kwentong Bayan: Labour of Love at Althea and Jo's Mayworks event this year at the Art Gallery of Ontario. by Artruo Herrera

in collaboration with the community part will be completed by Spring 2014. And then hopefully we'll have a comic book by the end of the year that people could look at. We'll figure out the publication part later on.

MaryCarl: Just [while] learning more about the process of making comics, who did you approach to collaborate with to produce the comic?

Jo: Kwentong Bayan: Labour of Love is an independent community-led and community-funded comic book project. So, Althea and I are [the] illustrating and writing team. We have some experience, transferable from other projects, but this is our first time creating a comic book. We're doing it for the first time, although we do have support from the Graphic History Collective. We've been selected as one of twenty artists to be mentored by the Graphic History Collective to create a short mini-comic as well, which will be released in the Fall of this year, so that's maybe what you were thinking about with the date December 2013. The Graphic History Collective, they produced this comic book called May Day It's a graphic history of protests. It's basically the historical account of May Day in Canada for the Labour Rights Movement Day, which is celebrated on May 1st internationally. So they selected twenty comic book projects to explore radical graphic histories in their own communities, and so they chose us to illustrate and write a ten-page mini-comic, and for that project as well we've decided to focus on the history of the LCP and the impacts on the lives of Filipina caregivers in our own community, where the majority of caregivers here in Toronto are of Philippine background.

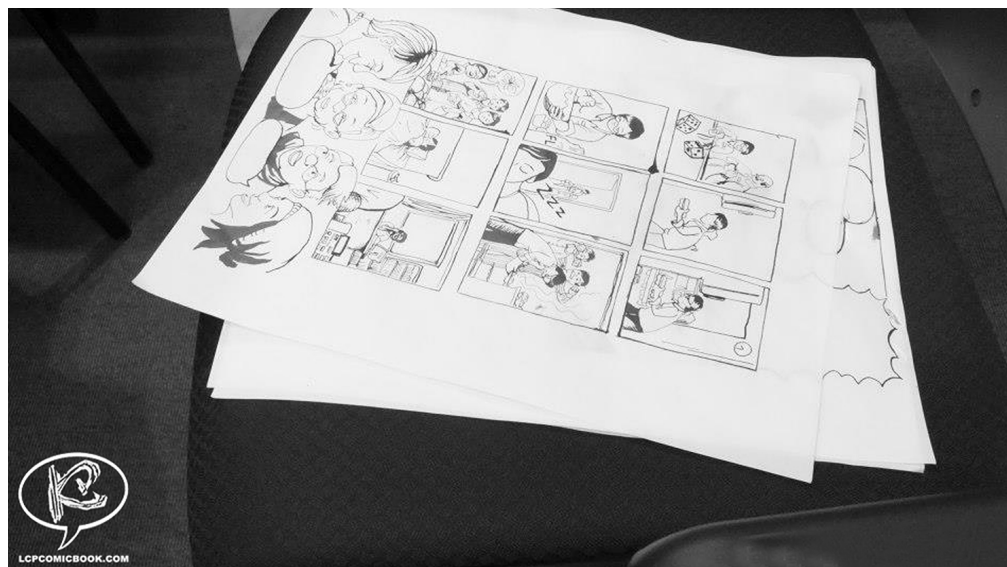
Like Althea said, we are really open to talking

with as many groups in our diverse community as possible to help us fill in the LCP timeline that's what we're calling it. So, because it's a timeline, it could be from the early 70's where we're starting at in the Philippines, what it was like before, the very different economy and very different political situation compared to what it is now. And we're shifting around from the Philippines, from Canada -- Toronto specifically, but all around. Caregivers have been in Hong Kong, have been in the Middle East, all over the world.

MaryCarl: That's great. How about you both share your contacts, if there's anyone listening in who could help fill in the LCP timeline.

Jo: Definitely. So you could reach us at lcpcomicbook@gmail.com, or check us out on the web at www.lcpcomicbook.com and you'll see a link to our facebook page, "Kwentong Bayan: Labour of Love". You can also fill out an anonymous email form on our website, if you want to tell your story. When we formally interview people though, we do go through a review process to make sure you are comfortable with the questions and just some guidelines around that process. So we're willing to accept formal stories, if we sit down and actually build a relationship, so people understand where people are coming from and we understand where [people are] coming from before we do any more in-depth sharing because these stories are very personal and bring up a lot of emotion, memories and difficult things, so we want to be as responsible as possible when we're listening. We want to listen consciously and be empathetic, but also be responsible.

RIGHT Sneak peak of more new illustrations for Kwentong Bayan. The comic will be an accessible format to educate people about the lives of caregivers in Toronto. by Christine Balmes



MaryCarl: Very good. Is there anything else you'd like to share?

Althea: Check out our website. I really encourage people to get in touch with us and share their experiences. You don't even have to be in the LCP, but I'm sure some people have known other people who were caregivers, but their lives have been affected by the program as well. Our comic book is a very holistic approach to the subject. We're trying to find different perspectives and share that perspective with others. Yeah, keep in touch, get in touch with us, check us out. And I hope you like the project.

Jo: [...] There needs to be an understanding of the very serious issues, there needs to be a commitment to advocacy, but there also needs to be time for self-care and fun and community-building. As Althea demonstrated, you can see some fun mom dances but also things you can practice at Filipino parties, when we meet caregivers in the community. [...]

We're also open to speaking to caregivers who are being reunited with their families, maybe extended family who are affected by the LCP, and who knows, maybe some employers too. I'd be interested in hearing what their perspective is on this process. So, we're open -- we're artists so we're open. Our job is to listen and reflect, and create work that hopefully has some meaning that we give back to the community.

MaryCarl: Thank you both so much for taking the time to talk with us today.

Jo: Thanks for your interest, MaryCarl. You could reach us at lcpcomicbook@gmail.com[,] or check us out on the web at www.lcpcomicbook.com and you'll see a link to our facebook page, "Kwentong Bayan: Labour of Love". Δ

1 GABRIELA-Ontario is a Filipino women's organization addressing issues that have great impact on women including the promotion and defence of their rights and welfare. Under the aegis of GABRIELA Philippines, our name stands for General Assembly Binding women for Reforms, Integrity, Equality, Leadership and Action. The organization's name and its very spirit draw inspiration from one of our many Philippine heroines, Gabriela Silang, who was one of the respected generals in the more than three centuries of resistance and uprisings against the Spanish colonizers. Without doubt, Gabriela has become a lasting symbol for justice and action in the minds of Filipino women.

2 GATES stands for Gabriela Transitions Experiences Survey. This is a nationwide research study conducted by Ryerson University and York University. Lead by GABRIELA Ontario as its main community organization partner, this study works to find out about the experiences - and particularly the employment barriers - of people who have worked as live-in caregivers and who now have an open work permit or permanent residency status.

3 We are working closely with an advisory group consisting of caregivers, advocates, and community leaders who help us develop an ethics review process, create guidelines, consent forms, and support us throughout all phases of the project." ~Althea & Jo, Illustrating & Writing Team of Kwentong Bayan



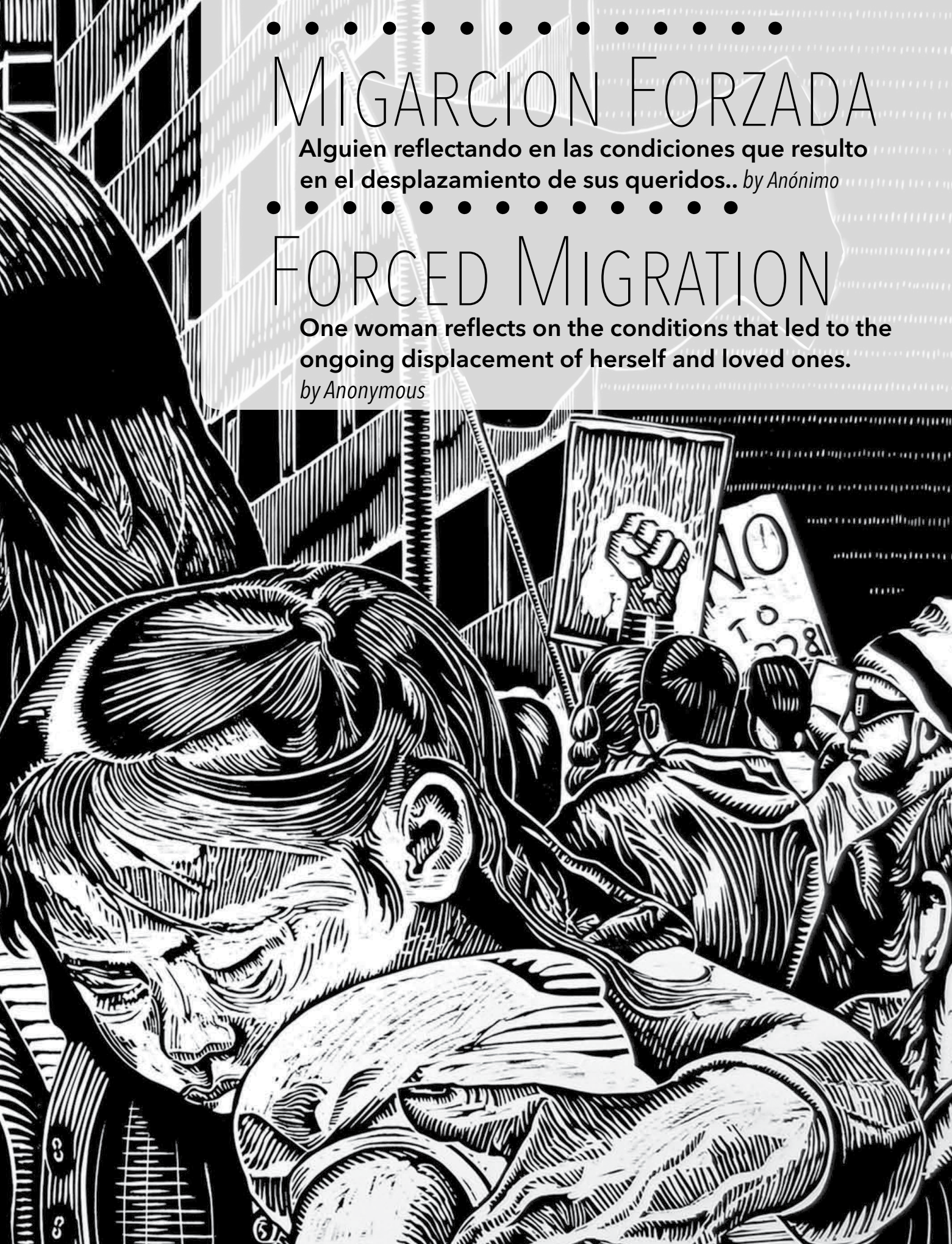
MIGRACION FORZADA

Alguien reflectando en las condiciones que resulto
en el desplazamiento de sus queridos.. *by Anónimo*

FORCED MIGRATION

One woman reflects on the conditions that led to the
ongoing displacement of herself and loved ones.

by Anonymous



Trigger warning: Article discusses war, genocide and sexual violence.

PREVIOUS PAGE A limited-edition portfolio of handmade prints addressing migrant issues from Justseeds & CultureStrike
"Dream Act" by Raoul Deal migrationnow.com

LIVING CREATURES HAVE MIGRATED SINCE THE EARTH as we know it has existed. Nomadic humans migrate from place to place to find food to survive. Butterflies and birds migrate from the North to the South when the harsh winter comes. From my experience, I can say that we were born to migrate, but the majority of time, one migrates not necessarily because it is what we want, but rather because we are forced to leave our lands.

I wasn't even born when the odyssey of forced migration began for my family. In 1979 my family was forced to flee Cabanas, El Salvador, when the Salvadoran Civil War broke out. The twelve-year civil war had been preceded by military dictatorships that engaged in excessive repression towards the peasants and popular movements. Such repression traces back to as early as 1932, when over 10,000 people were murdered, the majority of them indigenous peasants. The "matanza" is known as a form of unrecognized ethnocide that marked the lives of indigenous Salvadorans, who abandoned traditional native dress and language for fear of retaliation.

My family had to cross the Lempa River after my two aunts, my cousin, who was only fifteen years old, and two other women were brutally raped and slaughtered by the Salvadoran Army. My family found shelter at a refugee camp called "Mesa Grande", which was located in San Marcos de Ocotepeque in Honduras. My parents ended up living at the refugee camp for ten years, and myself and four of my brothers and sisters were born there. In 1989, my family decided to come back to El Salvador and re-settled in La Libertad, where I lived until I was nineteen years old.

After the civil war ended in 1992, not only did it leave over 75,000 casualties, but it also created another monster: The "Maras"¹, who are the product of war-generated violence, as well as family instability that arises when parents have to leave their children unattended in order to work to provide

for their families. The Maras are a terminal cancer that has invaded our country.

I left El Salvador in 2003, again fleeing gang violence and poverty, and settled in the United States where I lived for eight years and struggled to make a living while working and going to school at the same time. My experience in the US was a pretty rough one. I suffered discrimination and had to work long hours making minimum wage. In 2011, my boyfriend and I decided to come to Canada to file a claim for Refugee Status so we could have a stable immigration situation since we couldn't get status in the US. Our experience in Canada has been a lot better than it was in the US. Since we arrived, we have gotten the help we needed from the Canadian Government, and we have found wonderful people who have helped us with the complicated immigration process. We are finally in the last step of our immigration process, and our Permanent Resident Status will hopefully be finalized in the next few months. We have been lucky, but we have also seen how many families are being deported by the Canadian government. Many of these families have similar stories to ours and again are being forced to continue the circle of forced migration in order to find a place where their families can live with peace and dignity.

This is the migration story of my family, which I know is not a story of the past. Many families around the world, every day, every minute are being forced by war and violence to migrate and live in exile. But sadly it is also true that many women, children, elderly and people not as lucky as we are have perished trying to find a place to live with dignity. I have an eight month old daughter who is my inspiration to continue on. I will make sure I educate her to never forget her family's history and to fight for a world where human beings learn to make peace, love each other, to not make war and kill each other. △

¹ Although "Mara" is a word for gang in Spanish the Maras have become known specifically as several trans-national notoriously violent street gangs, most active in El Salvador, Honduras and Guatemala. Although, they have large memberships in the United States as well. There are two major Maras, the Mara Salvatrucha (MS, or MS-13) and 18th Street (M-18). They are different than traditional street gangs because of their sheer numbers in the hundreds of thousands of members and their decentralised leadership structures.

LA PÁGINA ANTERIOR

A demuestra una edición limitada de impresiones hecha de mano que ensena problemas de migrantes. Este imagen "Dream Act" es hecho por Raoul Deal y es parte de Justseeds y CultureStrike

Aviso: Este artículo discute guerra, genocidio y violencia sexual.

LOS SERES VIVOS HAN EMIGRADO DESDE QUE LA TIERRA, como la conocemos, ha existido. Los pueblos nómadas han emigraron de un lugar a otro en busca de comida para sobrevivir. Las mariposas y pajaros tambien emigran del norte al sur cuando el crudo invierno llega. Por mi experiencia personal puedo decir que nacimos para emigrar y la mayoría de veces uno emigra no necesariamente por que uno quiera pero somos forzados a dejar nuestras tierras.

Yo niquiera habia nacido cuando la odisea de la emigracion forzada comenzo para mi familia. En 1979 mi familia fue forzada a salir huyendo de Cabanas cuando la Guerra civil Salvadorena estallo. La Guerra civil de 12 anos fue antecedida por dictaduras militares que incurian en repression excesiva hacia los campesinos y movimiento populares, tal repression va hasta 1932 donde mas de 10,000 personas fueron asesinadas, la mayoría de ellas eran campesinos indigenas siendo la Matanza una forma de ethnocidio no reconocido que marco las vidas de los Indigenas Salvadorenos, quienes abandonaron Las vestimentas Nativas tradicionales y el idioma por miedo a represalias.

Mi familia tuvo que cruzar el rio lempa despues que mis 2 tias, mi prima de solo 15 anos junto con 2 mujeres mas fueron brutalmente violadas y descuartisadas por los soldados Salvadorenos. Mi familia encontro refugio en un campo de refugiados llamado "Mesa grande" el cual estaba localizado en San Marcos de Ocotepeque en Honduras. Mis papas terminaron viviendo en el campo de refugiados por 10 anos donde 3 de mis hermanos y hermanas junto con migo nacimos. En 1989 mi familia decidio regresar a El Salvador y rehubicarce en La Libertad donde yo vivi hasta que tenia 19 anos.

Despues que la Guerra civil termino en 1992 no solamente dejo mas de 75,000 muertos pero tambien gesto otro mounstro : Las Maras, las cuales son el producto de la violencia generada por la Guerra junto con la inestabilidad familiar perpetrada por la pobreza cuando los padres tienen que dejar a sus hijos desatendidos para salir a buscar trabajo y proveer para la familia. Las Maras son un cancer terminal que ha invadido nuestro pais.

Yo deje El Salvador en el 2003, otra vez huyendo de la violencia y la pobreza . Me estableci en los Estados Unidos donde vivi por 8 anos y me esforce por mantenerme economicamente al mismo tiempo que asistia a la escuela . Mi experiencia en los Estados Unidos fue muy difcil donde tuve que sufrir discriminacion y tuve que trabajar largas horas ganando el salario minimo. En el 2011 my novio y yo decidimos venir a Canada para pedir refugio y de esa manera tener una situacion migratoria estable ya que en los Estados Unidos no pudimos obtener una a pesar de que tratamos. Nuestra experiencia en Canada ha sido mucho mejor desde que llegamos hemos recibido la ayuda que hemos necesitado de parte del gobierno Canadience y tambien hemos encontrado gente maravillosa que nos ha ayudado en el complicado proceso de Immigration. Estamos finalmente en el ultimo paso de el proceso migratorio y esperamos que nuestra aplicacion para residencia permanente sea finalizado en los proximos meses. Nosotros hemos tenido suerte pero tambien hemos visto como muchas familias han sido deportadas por el gobierno Canadience, muchas de estas familias tienen historias similares a las de nosotros y estan siendo forzadas a continuar con el circulo forzado de Emigrar para asi encontrar un lugar en donde sus familias puedan vivir en paz y con dignidad.

Esta es la histoia de migracion de mi familia la cual yo se que no es una historia del pasado, muchas familias alrededor del mundo cada dia, a cada minuto son forzadas por guerras y violencia a emigrar I vivir en el exilio, pero desafortunadamente es verdad que muchas mujeres, ninos ancianos no son tan afortunados como lo somos nosotros y han perecido tratando de encontrar un lugar en donde puedan vivir con dignidad. Tengo una hija de 8 meses la cual es mi inspiracion para continuar y me asegurare de educarle para que nunca olvide la historia de su familia y para que luche por un mundo donde no hayan fronteras y en donde los seres humanos aprendamos a hacer la paz y amarnos unos a otros no a hacer guerras y odiarnos unos a otros. △

Ontario Health Services Information (For Those With and Without a Health Card)

BELOW IS SOME INFORMATION about accessing health services in the province of Ontario, adapted from the web-site migrantworkerhealth.ca. This information has been organized for offshore workers and migrants who have government issued health cards as well as those who do not.

This information was collected by Fuerza/Puwersa, a group that works with with offshore workers and migrants. If you would like to contact us you can call us free at 1 866.443.1055.

IF YOU ARE WORKING AS A MIGRANT OR OFFSHORE WORKER UNDER A GOVERNMENT PROGRAM DO YOU HAVE THE RIGHT TO HEALTH SERVICES?

YES. All of those working as migrant workers in Ontario who have government issued work permits are eligible for the Ontario Health Insurance Plan (OHIP), which pays for a range of health services. If you are working under the Seasonal Agricultural Workers Program you are covered under OHIP from the day you arrive in Ontario. If you are working under the NOC C and D (Temporary Foreign Worker Program) there is a three-month waiting period to receive OHIP, during which your employer must provide a form of health insurance for you. If you stay in Canada after your work visa expires, and are here without documents, you will not be covered by OHIP - if you are in this situation see below for some options.



WHAT IF YOU ARE WORKING UNDER A GOVERNMENT LABOUR PROGRAM BUT YOU HAVE NOT RECEIVED YOUR OHIP/ HEALTH CARD?

Your employer is responsible for you to receive your OHIP/ health card. Under current labour programs, your employer must register you, receive your card in the mail, and then give it to you. **BUT** many people are not receiving their OHIP/ health cards on time or at all. After your employer registers for your health card, it can take three to five weeks for it to arrive in the mail. However, after your employer registers you, they should be given a **Transaction Record**, which can be used for health coverage until the actual health card arrives in the mail. If you do not have this record, you can ask your employer for it, if this does not work you can tell the doctor or nurse or health service provider you are trying to access that you would like to sign a **Health Number Release form**. By signing this form the doctor, nurse or health service provider can confirm you are registered by looking you up in their system. This process should be confidential, between you

Información sobre los servicios de salud en Ontario para aquellos con y sin una tarjeta de Salud

EN ESTE ARTÍCULO ENCONTRARÁ INFORMACIÓN SOBRE el acceso a los servicios de salud en la provincia de Ontario. Esta información se ha organizado para ser útil para trabajadores migrantes y otros migrantes que tienen tarjetas de salud, y también para los que no tienen tarjetas de salud. Esta información fue adaptada de la página web migrantworkerhealth.ca.

Esta información ha sido organizada por el grupo Fuerza / Puwersa - que trabaja con trabajadores migrantes. Si desea contactar el grupo puede llamarnos gratis al 1866.443.1055.



¿SI ESTÁ TRABAJANDO COMO TRABAJADOR AGRÍCOLA MIGRANTE TIENE ACCESO A SERVICIOS DE SALUD?

Todas las personas que trabajan como trabajadores migrantes en Ontario, bajo permisos de trabajo provisionales, otorgados por el gobierno, son elegibles para el Plan de Seguro de Salud de Ontario (OHIP), que te cubre y paga por varios servicios de salud. Si usted está trabajando debajo del Programa de Trabajadores Agrícolas Temporales Mexico-Canada (Ptat), usted está cubierto por el seguro de salud OHIP desde el día que llega a Ontario. Si está trabajando bajo el programa de 2 años (NOC C y D) hay un período de espera de tres meses para recibir OHIP, durante el cual el empleador debe proporcionar un seguro de salud para usted. Si te quedas en Canadá después de que expire tu visa de trabajo no estarás cubierto por el seguro de salud OHIP. Nosotros creemos que todos deberían tener el derecho a servicios médicos, entonces más adelante identificamos algunas opciones si usted no tiene seguro.

¿QUÉ PASA SI USTED TIENE UN PERMISO DE TRABAJO PROVISIONADO POR EL GOBIERNO, PERO NO HA RECIBIDO SU OHIP / TARJETA DE SALUD?

Su empleador es responsable de que usted tenga su tarjeta OHIP / tarjeta de salud. Debajo de programas de trabajo, precentemente tu empleador te registra, y recibe tu tarjeta en el correo, y debe darte tu tarjeta después de recibirla. Sin embargo muchas personas no están recibiendo sus tarjetas salud / OHIP a tiempo. Después de que su empleador inicia el trámite para sus tarjetas de salud, tarda 3-5 semanas para que la reciba en el correo. Sin embargo, después de que usted esté registrado, su empleador recibir un documento que incluye su **registro de la transacción o trámite/** en inglés **Transaction Record**. Este registro sirve para cubrir servicios médicos hasta que llegue tu tarjeta de salud. Si usted no tiene este registro, puede preguntar a su empleador por el. Si esto no funciona, puede decirle al médico o enfermera o servicio médico

and the doctor nurse, or service provider. This form might only be offered in English and French.

It is against the law for your employer to hold your health card and not give it to you.

ALL PEOPLE SHOULD HAVE ACCESS TO HEALTH SERVICES, BUT IN THE CURRENT SYSTEM, WHAT ARE YOUR OPTIONS IF YOU DO NOT HAVE A HEALTH CARD?

Healthcare providers cannot refuse to provide you with emergency health services, but they can ask you to pay for these services and for other non-emergency services. This can be very expensive. If you, like many people, cannot afford to pay, you may want to consider the following options:

1. Go to a Community Health Center (CHC)- Community health centers have funding money available for people without insurance, so you do not have to pay and do not need a health card. Below is a list of some Community Health Centers that may be near you.
2. Look for special clinics for migrants. There are a few programs running that provide health support for migrant farm workers, refugees and other migrants without a health card. Some of these options include:

A free migrant health clinic that runs on Sundays in *Virgil Niagara, at 1570 Niagara Stone Road*, in a small house behind the Cornerstone community church. No health card is required. The clinic runs every two weeks on Sundays. Some of the dates left for the 2013 season are July 14th, July 28th, August 11th, August 25th, September 8th.

Occupational Health Clinics for Ontario Workers (OHCOW) also runs mobile occupational health clinics for migrant farm workers during the summer in different regions. You do not need a health card and there is no charge. You can call their free phone number if you would like to ask about these clinics: 1 877.817.0336 ex: 2223.

3. If you need health care for a work-related injury, which is an injury or illness that happened as a result of your work, the doctor or healthcare provider should bill the Ontario compensation organization WSIB directly for the cost of healthcare services. Workers should not be charged for work related injuries, WSIB will pay for this directly. Ask the doctor or healthcare provider you are seeing about this. For questions call WSIB free at 1- 800- 387- 0750. [Δ](#)

COMMUNITY HEALTH CENTERS, LISTED BY REGION

Niagara Region

Niagara Falls Community Health Center

4481 Queen St
Niagara Falls, ON L2E 2L4
Phone: 905.356.4222

Hours of Operation: Mon-Fri 8:30 am-4:30 pm. Please call or check out our website for our new extended hours.

Quest Community Health Center

145 Queenston St.
Suite 100
St. Catharines, ON L2R 2Z9
Phone: 905.688.2558

Branford/ Norfolk/ Simcoe Region Grand River Community Health Centre

347 Colborne Street
Brantford, ON
N3S 3N2
Phone: 519.754.0777

Sarnia/ Windsor/ Leamington

North Lambton Community Health Centre

429 Exmouth St
Sarnia, ON N7T 5P1
Phone: 519.344.3017

Sandwich Community Health Centre Inc.

749 Felix Avenue
Windsor, ON N9C 3K9
Phone: 519.258.6002

City Centre Health Centre

1400 Windsor Ave.
Windsor, ON N8X 3L9
Phone: 519.971.0116

Street Health

711 Pellissier St
Windsor, ON N9A 4L4
Phone: 519.252.3777

LISTA DE CENTROS DE SALUD COMUNITARIOS POR REGIÓN

Region del Niagara

Centro de Salud Comunitaria de Niagara Falls (Niagara Falls Community Health Center)

4481 Queen St
Niagara Falls, ON L2E 2L4
Teléfono: 905.356.4222
Horas de servicio: Lun-Vier 8:30 am-4:30 pm. Por favor llame o visite la página web para conocer nuestras horas de servicio extendidas

Centro de Salud Comunitario de Quest

145 Queenston St.
Suite 100
St. Catharines, ON L2R 2Z9
Teléfono: 905.688.2558

Región de Brantford/ Norfolk/ Simcoe Centro de Salud Comunitario de Grand River

347 Colborne Street
Brantford, ON
N3S 3N2
Teléfono: 519.754.0777

Sarnia/ Windsor/ Leamington

Centro de Salud Comunitario de North Lambton Community Health Centre

429 Exmouth St
Sarnia, ON N7T 5P1
Teléfono: 519.344.3017

Centro de Salud Comunitaria de Sandwich

749 Felix Avenue
Windsor, ON N9C 3K9
Teléfono: 519.258.6002

Centro de Salud de City Centre

1400 Windsor Ave.
Windsor, ON N8X 3L9
Teléfono: 519.971.0116

Street Health

711 Pellissier St
Windsor, ON N9A 4L4
Teléfono: 519.252.3777

que usted quiere consultar, que a usted le gustaría firmar un formulario que les da permiso a la persona a buscar y confirmar tu número de salud en su sistema de computadora. Este formulario en inglés se llama a **Health Number Release form**, y confirma que estas registrado. Desafortunadamente, es probable que este formulario solo está en inglés, pero puede preguntar si lo tienen en español.

Es contra la ley que su empleador detenga su tarjeta de salud y no se la de.

TODAS PERSONAS DEVERIAN DE TENER ACCESO A SERVICIOS MEDICOS, PERO EN EL SYSTEMA DE HOY ¿CUÁLES SON SUS OPCIONES SI NO TIENE UNA TARJETA DE SALUD O SEGURO DE SALUD?

El personal de salud no puede negar los servicios de emergencia, sin embargo podrían pedirle que cubra los gastos, los cuales pueden ser muy altos. Si usted considera que no podría cubrirlos tal vez quiera considerar las siguientes opciones:

1. Ir a un centro de salud comunitaria (community Health Center, CHC)- Los centros de salud comunitaria pueden proveer servicios de salud a personas que no tienen seguro medico, por lo tanto usted no tiene que pagar y no necesita una tarjeta de salud para que lo atiendan. Al final del documento le proporcionamos una lista de los centros de salud comunitaria que podrían estar cerca de usted..
2. Busque clínicas para trabajadores migrantes agrícolas. Hay algunos programas funcionando que proporcionan servicios de salud sin la necesidad de tener una tarjeta de salud. Esto incluye una clínica de salud que proporciona servicios los Domingos en virgil, **Niagara en 1570 Niagara stone road**, en una casa pequeña detrás de la iglesia Cornerstone. La clínica corre cada dos semanas los domingos. 14 y 28 de julio, 11 de agosto, 25 de agosto, 8 de septiembre. y no se requiere tarjeta de salud para obtener una consulta.

La organización llamada Clínicas de Salud Ocupacional para Trabajadores de Ontario (OHCOW) también tienen clínicas móviles de salud para trabajadores migrantes agrícolas durante el verano en diferentes áreas. Las clínicas son gratis y no se necesita una tarjeta de salud. Usted puede llamar a su número gratis: 1 877.817.0336 ex: 2223

3. Si usted necesita servicios medicos relacionados con alguna lesion del trabajo, si se a lesionado o enfermado por algo causado por su trabajo, su médico debe enviar la cuenta de los servicios que le proporcionaron, directamente a la oficina encargada de las compensaciones de este tipo, llamada WSIB. Los trabajadores no deben pagar las cuentas de este tipo (lesions relacionadas con el trabajo), porque el WSIB pagará directamente por ellas. Pregunte a su médico acerca de esto o llame al WSIB gratis a 1 800.387.0750. [Δ](#)



Line 9 Reportback: Occupation and Solidarity

ON THE MORNING OF JUNE 20th, SIXTY folks from all over Southern Ontario walked down a long dirt road to the Enbridge Westover Terminal, part of a forty-year-old pipeline whose flow Enbridge wants to reverse in order to transport heavy crude oil and diluted bitumen – a corrosive and experimental tar sands product – at higher temperatures and higher pressures from the Alberta Tar Sands, across Southern Ontario and into Québec.

Dubbed #SwampLine9, the blockade and occupation shut down construction at the Westover Terminal. According to Enbridge, construction had not begun, however the forty-some Enbridge workers that were evicted via the occupation (and the heavy-duty machinery they left behind) indicated construction had begun. Once on the property blockaders placed their own locks on the gate at the front of the site as well as the gates to the compound further down the road, set up a kitchen and many tents and prepared for the stay ahead of them. The occupation was held by thirty to fifty people successfully for five days, with many people showing their solidarity by stopping by with food, supply donations and statements of support. On the third day a musical show as well as child-friendly activities took place to open up the occupation to newcomers.

On the morning of day five

Enbridge successfully got an injunction that gave an order for the occupiers to leave the site Westover site. Folks blockading the site responded by building a barricade and four individuals locked themselves to the fence and gate that surrounds the site.

"This isn't Enbridge's land to order us off of," said Trish Mills, who participated in the lockdown. "It's stolen. Even if it wasn't, this company and this industry exploit and destroy land. It is our responsibility to stop this exploitation. While a spill might not be on purpose, when it does happen — one every five days — they look at it only as a monetary figure; I look at it as the irreversible massacre of an ecosystem."

The day the injunction order was served, June 25th, was also the day that thirteen cities responded with solidarity actions. In Toronto, a busy downtown street was temporarily blocked by a mock oil spill; in Vancouver, a banner was dropped proclaiming "Enbridge poisons communities." In Sarnia, folks flyer and picketed outside of Enbridge's Sarnia Terminal. People gathered in downtown Peterborough and dropped a banner off at the central bus terminal that read "#SwampLine9: No Tar Sands on Stolen Native Land." Info pickets were organized in downtown Kitchener, Ottawa and Kingston. In all three cities, nearly a dozen organizers handed out hundreds of flyers to concerned and supportive residents.

In Edmonton, people gathered in front of Enbridge headquarters, deployed a banner and delivered Swamp Line9's message directly to the Alberta head of the oil-sucking monster. Enbridge's other office, in Thorold, also got a visit as protesters delivered Swamp Line9's promise of continued resistance. In Guelph, a giant blue puppet, the 'OcTARpus' went for a walk with two dozen activists who flyer downtown streets. In Hamilton, people gathered and marched down busy King Street, shutting down traffic and handing out to passers-by. London saw a solidarity rally gather in a park, listening to speeches and spoken word before heading out to flyer passers by.

In early the morning of June 26th, the Hamilton Police descended upon the occupation, arresting almost everyone onsite. Of the eighteen folks arrested thirteen received trespassing tickets; the four who locked down were charged with mischief under 5000 dollars; and another individual was charged with breaking and entering.

As the press statement made the night of the injunction states to Enbridge "You are going to be swamped with resistance at every step of the way. This fight is just beginning."

This action will be the beginning of a long, hot summer!

Sources:


www.swampline9.tumblr.com

DEPORTING AND DETAINING PARENTS SHATTERS FAMILIES



JUSTICE IS TO HAVE YOUR KIDS IN YOUR HOUSE WITH YOU. DEPORTING A PARENT AND TAKING THE KIDS IS TOO TERRIBLE FOR WORDS. MY KIDS ARE MY LIFE. -A FATHER DEPORTED TO MEXICO WHOSE 3 KIDS ARE IN FOSTER CARE

OVER 5,000 CHILDREN ARE CURRENTLY STUCK IN THE UNITED STATES FOSTER CARE SYSTEM BECAUSE THEIR PARENTS HAVE BEEN DEPORTED

A black and white illustration of a man with a mustache, wearing a light-colored shirt, sitting at a wooden table. He is looking towards the right. On the table are two bowls, one of which he is holding. The setting is dark and cave-like, with rough, textured walls and a pile of rocks or debris on the floor to the left. The overall mood is somber and contemplative.

MANY FRIENDS HAVE LEFT, FAILING TO GET STATUS. OTHERS HAVE STAYED UNDER THE RADAR, STRUGGLING TO GET BY, CHASING SEASONAL LABOR. STILL OTHERS STAY WORKING JOBS THEY HATE, WITH NO OTHER LEGAL OPTIONS TO REMAIN IN THE COUNTRY. LIVING ON THE EDGE OF LEGALITY IMPLIES UNCERTAINTY AND A PERMANENT LOW-LEVEL STRESS. MAKING FRIENDS, STARTING PROJECTS, AND MERELY RELATING TO ONE'S ENVIRONMENT BECOME CONFLICTED IMPULSES WHEN YOU DON'T KNOW IF OR WHEN YOU'LL NEED TO LEAVE."

-ANONYMOUS, PLAYING BALL